

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Thursday, November 5, 2020

7:00 PM

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

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

Enter Meeting ID: 942 0187 2539

City Council

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:01 p.m. in accordance with State and County health orders.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Tom Crawford thanked City Clerk Jacqueline Beaudry and her team for their work on the recent national election.

Mr. Crawford presented the following reports for information of Council:

AC-1 [20-1653](#) Agenda Response Memo and eComments - November 5, 2020

Received and Filed

AC-2 [20-1682](#) City Administrator's Report - November 5, 2020

Received and Filed

INT INTRODUCTIONS

INT-1 [20-1527](#) Independent Community Police Oversight Commission (ICPOC)

Lisa Jackson, Chair of the ICPOC, presented an update on the Commission's work. She also expressed concerns about the state of the current relationship the Commission has with the AAPD.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

- 1. Dan Bicknell - Reconsideration of Vote to Defeat 19-1887, the "Resolution Supporting the Environmental Protection Agency's Active Involvement with the Gelman Site and Encouraging its Listing of the same as a "Superfund" Site" (DC-4)**

Not present.

- 2. Rita Mitchell - Reconsideration of Vote to Defeat 19-1887, the "Resolution Supporting the Environmental Protection Agency's Active Involvement with the Gelman Site and Encouraging its Listing of the same as a "Superfund" Site" - DC-4**

Rita Mitchell, City resident, spoke in support of DC-4 and urged the City to approve Superfund status for the Gelman site.

- 3. Ralph McKee - Reconsideration of Vote to Defeat 19-1887, the "Resolution Supporting the Environmental Protection Agency's Active Involvement with the Gelman Site and Encouraging its Listing of the same as a "Superfund" Site" - DC-4**

Ralph McKee, Ward 5, spoke in support of DC-4, the Resolution to Reconsider the Vote to Defeat 19-1887, regarding Superfund status for the Gelman site.

4. **Vince Caruso - Reconsideration of Vote to Defeat 19-1887, the “Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site” - DC-4**
Not present.

5. **Kathy Boris - Reconsideration of Vote to Defeat 19-1887, the “Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site” - DC-4**
Kathy Boris, resident, spoke in support of DC-4.

6. **Tom Stulberg - Reconsideration of Vote to Defeat 19-1887, the “Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site” - DC-4**
Tom Stulberg, resident, spoke in support of DC-4.

7. **James D’Amour - Reconsideration of Vote to Defeat 19-1887, the “Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site” - DC-4**
James D’Amour, resident, spoke in support of DC-4, and Superfund status for the Gelman plume.

8. **Allison Buck - Resolution to Approve an Amendment to the Bylaws of the Ann Arbor Public Art Commission - DC-3**
Allison Buck, Chair of the Public Art Commission, spoke in support of DC-3, an amendment to the Art Commission’s bylaws.

9. **Michelle Hughes - Resolution Regarding Traffic Calming Process - DC-2**
Michelle Hughes, Ward 5, spoke in opposition to DC-2, Resolution regarding Traffic Calming Process.

10. **John Floyd -Voter Suppression**
Not present.

Alternates:

1. Kai Petainen - Thank You to Councilmembers for their Service

Kai Petainen, resident, thanked the outgoing Council Members for their service to the City. He also thanked the City Clerk's Office for their work on the national election.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER RAMLAWI**

Councilmember Ramlawi thanked the community for their support on all three of the City's millage proposals.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman said goodbye to his colleagues and the community. He said it was an honor to serve.

COUNCILMEMBER NELSON

Councilmember Nelson updated the community on ongoing construction projects in Ward 4.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about the Food Forest at Arrowwood Hills.

COUNCILMEMBER GRISWOLD

Councilmember Griswold urged the community to comment on the Vision Zero plan, which is currently available for public comment.

COUNCILMEMBER GRAND

Councilmember Grand spoke about her volunteer work on Election Day in Wayne County, noting the economic disparities in the system compared to Ann Arbor.

COUNCILMEMBER BANNISTER

Councilmember Bannister spoke about the possible development of 58 acres at Dhu Varren and Pontiac Trail. She stated this parcel is a possibility for additional cooperative housing.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [20-1675](#) Resolution to Approve 2021 Council Committee Appointments

Sponsors: Taylor and Grand

Mayor Taylor presented his proposed Council committee assignments for approval at the next meeting.

Referred to the City Council due back on 11/16/2020

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 20-1432 Enactment No: R-20-419 Approved

Resolution to Approve a General Services Agreement with West Shore Fire, Inc. for the Purchase of Self-Contained Breathing Air System Pursuant to ITB-4645 (\$48,797)

CA-2 20-1438 Enactment No: R-20-420 Approved

Resolution to Approve a Contract with All Star Power Excavation L.L.C. to Renovate the Pathway Near the Boat Launch at Gallup Park (\$245,209.00) (ITB 4638)

CA-3 20-1480 Enactment No: R-20-421 Approved

Resolution to Approve an Agreement with the Michigan Department of Transportation for the Huron Parkway RRFB Project

CA-4 20-1495 Enactment No: R-20-422 Approved

Resolution to Approve the Purchase of 75 Streetlight Fixtures for replacement, 80 enclosures and miscellaneous electrical supplies for traffic signal maintenance and installations from Graybar Electric Company, Inc. through the Michigan Delivering Extended Agreements Locally (MIDEAL) (\$62,354.03)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [20-1626](#) Regular Session Meeting Minutes of October 19, 2020

A motion was made by Councilmember Smith, seconded by Councilmember Lumm, that the Regular Session Meeting Minutes of October 19, 2020 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [20-1485](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 0.14 Acre from AG (Agricultural District) to R1D (Single-Family Dwelling District), 1043 North Main Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

A motion was made by Councilmember Ackerman, seconded by Councilmember Smith, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-29

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 20-1637 Enactment No: R-20-423 Approved

Sponsors: Hayner, Bannister and Griswold

A motion was made by Councilmember Bannister, seconded by Councilmember Hayner, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried, with one dissenting vote by Councilmember Grand.

Resolution to Further Appoint Members to the Council of the Commons

DC-2 20-1640 Enactment No:

Sponsors: Lumm and Bannister

A motion was made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved.

Resolution Regarding Traffic Calming Process

20-1640 Enactment No: Amended

A motion was made by Councilmember Ramlawi, seconded by Councilmember Hayner, that the Resolution be amended. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Mayor Taylor, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner and Councilmember Ramlawi

Nays: 6 - Councilmember Lumm, Councilmember Eaton, Councilmember Grand, Councilmember Bannister, Councilmember Griswold and Councilmember Nelson

Resolution Regarding Traffic Calming Process

Councilmember Ramlawi proposed the following amendment:

Change 1000 feet to 500 feet.

20-1640 Enactment No: Approved

The question being, the motion as originally made by Councilmember Lumm, seconded by Councilmember Eaton, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner and Councilmember Griswold

Nays: 6 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

Resolution Regarding Traffic Calming Process

DC-3 20-1642 Enactment No: R-20-424 Approved

Sponsors: Ramlawi

A motion was made by Councilmember Ramlawi, seconded by Councilmember Ackerman, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister and Councilmember Hayner

Resolution to Approve an Amendment to the Bylaws of the Ann Arbor Public Art Commission

RECESS

Mayor Taylor declared a recess at 9:17 p.m. and reconvened the meeting at 9:27 p.m.

DC-4 [20-1654](#) Reconsideration of Vote to Defeat 19-1887, the “Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site”

Sponsors: Ramlawi

A motion was made by Councilmember Ramlawi, seconded by Councilmember Eaton, that the motion to Reconsider 19-1887 be approved. Councilmember Ramlawi was on the prevailing side of the previous vote to defeat this resolution.

On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Smith

19-1887 Enactment No:

Sponsors: Griswold, Hayner, Bannister, Eaton and Ramlawi

A motion was made by Councilmember Griswold, seconded by Councilmember Ramlawi, that the Resolution be approved.

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

19-1887 Enactment No:

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

A motion was made by Councilmember Ackerman to amend the resolution as follows:

Add RESOLVED Clause:

RESOLVED, That City Council direct the City Administrator to continue the fourth consent judgment negotiation process.

19-1887 Enactment No:

Amended

A motion was made by Councilmember Ramlawi, seconded by Councilmember Eaton, that the Amendment be further amended as follows:

Replace proposed RESOLVED Clause with 2nd to Final Whereas Clause:

Whereas, City Council directs the City Administrator to continue the fourth consent judgment negotiation process.

On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Eaton, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Nays: 5 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Nelson

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

19-1887 Enactment No: **Amended**

Sponsors: Griswold, Hayner, Bannister, Eaton and Ramlawi

The question being, the motion made by Councilmember Ackerman, seconded by Councilmember Smith, that the Resolution be amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

19-1887 Enactment No: **R-20-425** **Approved as Amended**

The question being, the original motion as made by Councilmember Ramlawi, seconded by Councilmember Eaton, that the Resolution be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 5 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as

a "Superfund" Site

DC-5 20-1646 **Enactment No:** **Approved**

Sponsors: Bannister

A motion was made by Councilmember Bannister, seconded by Councilmember Hayner, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner and Councilmember Griswold

Nays: 6 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Nelson and Councilmember Ramlawi

Resolution to Waive Attorney-Client Privilege with Respect to Certain Advice

DC-6 20-1681 **Enactment No:** **R-20-426** **Approved**

Sponsors: Ramlawi, Lumm, Bannister and Ackerman

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

Resolution to Approve a Waiver of Late Penalty Charges for 2020 Tax Payments in Response to the COVID-19 Novel Coronavirus Pandemic

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

DS **New Business - Staff:**

E **COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

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

Passed on consent agenda

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

F The following communications were referred as indicated:

- F-1** [20-1606](#) October 1, 2020 Letter from the National Park Service Regarding the Acceptance of the John Felix White Gravesite at Fairview Cemetery to be Included in the National Underground Railroad Network to Freedom

G The following minutes were received for filing:

- G-1** [20-1229](#) Minutes of the July 9, 2020, HDC Meeting
- G-2** [20-1232](#) Minutes of the June 11, 2020, HDC Meeting
- G-3** [20-1522](#) Ann Arbor Public Art Commission Meeting Minutes - August 2020
- G-4** [20-1532](#) Downtown Development Authority Board, Affordable Housing-Economic Development, Operations, Finance Committee, Executive Committee, Special Executive Committee Minutes of September 2020
- G-5** [20-1533](#) Downtown Area Citizens Advisory Council Meeting Minutes for October 6, 2020
- G-6** [20-1581](#) The City of Ann Arbor Employee's Retirement System Board Meeting Minutes of September 17, 2020
- G-7** [20-1583](#) The City of Ann Arbor Retiree Health Care Benefit Plan & Trust (VEBA) Board Meeting Minutes of September 17, 2020.

- G-8** [20-1611](#) Council Administration Committee Minutes - May 12, 2020, May 26, 2020, June 9, 2020, June 17, 2020, June 22, 2020, July 14, 2020 and August 6, 2020
- G-9** [20-1555](#) Election Commission Minutes July 28, 2020

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

John Floyd, Ward 5, expressed concern with comments made by the City Attorney regarding privileged communications.

Ralph McKee, Ward 5, spoke about the proposed Gelman consent judgment.

Linda Berauer, City resident, thanked Council for their vote on the Superfund resolution.

COMMUNICATIONS FROM COUNCIL

Council Members wished the departing members farewell and best wishes.

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

None.

ADJOURNMENT

A motion was made by Councilmember Griswold, seconded by Councilmember Smith, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:02 a.m.

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

LIVE: @ 7:00 P.M.

REPLAY: FRIDAY @ 8:00 P.M.

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

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