

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes - Final

Tuesday, September 6, 2022

7:00 PM

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

Larcom City Hall, 301 E Huron St, Second floor, City Council
Public commentary can be made in person or by calling: 877 853

Chambers
5247 or 888 788 0099

City Council

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

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 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

APPROVAL OF AGENDA

A motion was made by Councilmember Disch, seconded by Councilmember Griswold, 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 Milton Dohoney Jr. presented the following written reports for information of City Council:

AC-1 [22-1455](#) Response to Resolution R-21-283 - Robert Hayden House at 1201 Gardner Avenue Historic District Study Committee Final Report
Received and Filed

AC-2 [22-1476](#) Government Finance Officers Association (GFOA) - Distinguished Budget Presentation Award - Financial Services FY23
Received and Filed

AC-3 [22-1479](#) Feature Presentation July 2022 - Resiliency in Ann Arbor

Received and Filed

AC-4 [22-1502](#) Agenda Response Memo and eComments - September 6, 2022

Received and Filed

AC-5 [22-1506](#) City Administrator's Report - September 6, 2022

Received and Filed

INT INTRODUCTIONS

INT-1 [22-1421](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update

Dr. Lisa Jackson, Chair of the Independent Community Police Oversight Commission, gave her monthly update to City Council, speaking about the number of police-involved shootings of civilians.

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**

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

1. John Mirsky - Municipal Electric Utility Feasibility Study (DS-1) (in person)

John Mirsky, 505 Burson Place, spoke in support of DS-1, regarding a municipal electric utility feasibility study.

2. Dr. Lauren Sargent - Municipal Electric Utility Feasibility Study (DS-1) (in person)

Dr. Lauren Sargent, 2816 Ember Way, spoke in support of DS-1, regarding a municipal electric utility feasibility study.

3. **Sam Copi - Municipal Electric Utility Feasibility Study (DS-1) (in person)**

Sam Copi, resident, spoke in support of DS-1, regarding a municipal electric utility feasibility study.

4. **Zackariah Farah - Municipal Electric Utility Feasibility Study (DS-1) (in person)**

Zackariah Farah, resident, spoke in support of DS-1, regarding a municipal electric utility feasibility study.

5. **Jonathan Hoard - Loss of Purchasing Power of the US Dollar and Inflation (in person)**

Jonathan Hoard, an independent candidate for Ward 5 City Council, spoke about his concerns regarding high rates of inflation.

6. **Kathleen Murphey - Municipal Electric Utility Feasibility Study (DS-1) (phone)**

Kathleen Murphy, 315 Linda Vista St., spoke in support of DS-1, regarding a municipal electric utility feasibility study.

7. **Gus Teschke - Municipal Electric Utility Feasibility Study (DS-1) (phone)**

Gus Teschke, resident, spoke in support of DS-1, regarding a municipal electric utility feasibility study.

8. **Robert Benko - ORD-22-12: Recreational Marijuana (phone)**

Robert Benko, 213 W. Madison St., expressed concern about the recent changes to the City's marijuana zoning ordinance.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER NELSON

Councilmember Nelson provided an update regarding an upcoming engagement meeting in Ward 4 for the S. Seventh/Greenvine Street project.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi spoke about an uptick in calls to 911 from residents.

COUNCILMEMBER GRISWOLD

Councilmember Griswold stated she will be in New York City and will be visiting examples of that city's Vision Zero work.

Councilmember Griswold thanked staff for their work on proposed amendments to Chapter 40 of the City Code.

COUNCILMEMBER DISCH

Councilmember Disch thanked City residents who participated in a recent vision exercise regarding the 121 E. Catherine development.

COUNCILMEMBER HAYNER

Councilmember Hayner reminded the public about improvements ongoing at Bandemer Park.

COUNCILMEMBER SONG

Councilmember Song announced an upcoming equity picnic in the community. She also spoke about the need for a permanent solution for social services funding.

COUNCILMEMBER GRAND

Councilmember Grand thanked the Ann Arbor Fire Department and Battalion Chief Matt Hughes for their recent response to a sensitive situation.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [22-1428](#) Nominations and Appointments for September 6, 2022

Mayor Taylor presented the following nominations for approval at a later date:

Design Review Board

Wendy Rampson
Term Ending: May 31, 2025

Energy Commission
Gabriel Harp
Term Ending: May 31, 2025

Referred to the City Council due back on 9/19/2022

MC-2 [22-1443](#) Resolution to Appoint Claire McKenna to the Energy Commission (7 Votes Required)

Mayor Taylor presented the Resolution of Appointment for approval at a later date.

Referred to the City Council due back on 9/19/2022

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-11 Resolution to Accept an Access Easement, Appropriate \$47,710.00 from the General Fund, and Approve Reimbursement of Road Maintenance Costs to the Dhu Varren on the Park Association (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Griswold, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-8 and CA-10.

CA-1 [22-1463](#) Resolution to Approve Street Closings for the Great Lakes Medinah Shriners Convention Parade on Saturday, October 1, 2022 from 11:00 AM until 3:00 PM

Resolution to Approve Street Closings for the Great Lakes Medinah Shriners Convention Parade on Saturday, October 1, 2022 from 11:00 AM until 3:00 PM

- CA-2** [22-1346](#) Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, October 2, 2022
Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, October 2, 2022
- CA-3** [22-1461](#) Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 24, 2022
Resolution to Approve Street Closings for the Ann Arbor Thanksgiving Day Turkey Trot - Thursday, November 24, 2022
- CA-4** [22-1221](#) Resolution to Approve a Professional Services Agreement with Metro Engineering Solutions, LLC for Architect/Engineering for the Ann Arbor Ypsilanti Broadband Conduit project, RFP 22-24 (\$96,775.00)
Resolution to Approve a Professional Services Agreement with Metro Engineering Solutions, LLC for Architect/Engineering for the Ann Arbor Ypsilanti Broadband Conduit project, RFP 22-24 (\$96,775.00)
- CA-5** [22-1339](#) Resolution to Approve a Construction Contract with Rauhorn Electric, Incorporated for Utility Conduit Installation (\$132,208.00)
Resolution to Approve a Construction Contract with Rauhorn Electric, Incorporated for Utility Conduit Installation (\$132,208.00)
- CA-6** [22-1374](#) Resolution to Approve a Professional Service Agreement with DLZ Michigan, Inc. (\$208,510.42) and Establish a Project Budget for the 2022/2023 Bridge Inspection Program (\$248,000.00)
Resolution to Approve a Professional Service Agreement with DLZ Michigan, Inc. (\$208,510.42) and Establish a Project Budget for the 2022/2023 Bridge Inspection Program (\$248,000.00)
- CA-7** [22-1417](#) Resolution to Approve a Grant Application to the USDOT's Safe Streets for All Discretionary Grant Program for Systemwide Transportation Safety Improvements in Ann Arbor
Resolution to Approve a Grant Application to the USDOT's Safe Streets for All Discretionary Grant Program for Systemwide Transportation Safety Improvements in Ann Arbor
- CA-8** [22-1095](#) Resolution to Accept and Appropriate Michigan Strategic Funds and Approve Certified Local Government Grant Agreement for the City of Ann

Arbor Old Fourth Ward Historic District Reconnaissance-Level Survey Update (\$45,000.00) (**8 Votes Required**)

Resolution to Accept and Appropriate Michigan Strategic Funds and Approve Certified Local Government Grant Agreement for the City of Ann Arbor Old Fourth Ward Historic District Reconnaissance-Level Survey Update (\$45,000.00) (**8 Votes Required**)

CA-9 [22-1413](#) Resolution to Approve Amendment No. 1 to Professional Services Agreement with LynxDx, Inc. for Medical Diagnostic Testing for SARS-COVID-2 (\$90,000.00/year)

Resolution to Approve Amendment No. 1 to Professional Services Agreement with LynxDx, Inc. for Medical Diagnostic Testing for SARS-COVID-2 (\$90,000.00/year)

CA-10 [22-1372](#) Resolution to Accept a Sidewalk Easement at 425 S. Main Street from The Standard at Ann Arbor, LLC (**8 Votes Required**)

Resolution to Accept a Sidewalk Easement at 425 S. Main Street from The Standard at Ann Arbor, LLC (**8 Votes Required**)

CA-12 [22-1458](#) Resolution to Approve Revised Rules (Bylaws) of the Zoning Board of Appeals and Authorize the ZBA to Elect Its Own Chair

Resolution to Approve Revised Rules (Bylaws) of the Zoning Board of Appeals and Authorize the ZBA to Elect Its Own Chair

CA-13 [22-1376](#) Resolution to Approve Bylaws of the Renters Commission

Resolution to Approve Bylaws of the Renters Commission

CA-11 [18-1821](#) Resolution to Accept an Access Easement, Appropriate \$47,710.00 from the General Fund, and Approve Reimbursement of Road Maintenance Costs to the Dhu Varren on the Park Association (**8 Votes Required**)

A motion was made by Councilmember Nelson, seconded by Councilmember Radina, that the Resolution be approved.

Resolution to Accept an Access Easement, Appropriate \$47,710.00 from the General Fund, and Approve Reimbursement of Road Maintenance Costs to the Dhu Varren on the Park Association (**8 Votes Required**)

A motion was made by Councilmember Nelson, seconded by Councilmember Ramlawi, that the Resolution be postponed until

9/19/2022. On a voice vote, the Mayor declared the motion carried.

Resolution to Accept an Access Easement, Appropriate \$47,710.00 from the General Fund, and Approve Reimbursement of Road Maintenance Costs to the Dhu Varren on the Park Association (**8 Votes Required**)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

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

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [22-1430](#) Regular Session Meeting Minutes of August 15, 2022

A motion was made by Councilmember Disch, seconded by Councilmember Hayner, that the Regular Session Meeting Minutes of August 15, 2022 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

C ORDINANCES - FIRST READING

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

A motion was made by Councilmember Nelson, seconded by Councilmember Radina, that the Ordinance be approved on First Reading.

A motion was made by Councilmember Nelson, seconded by Councilmember Radina, that the Ordinance be postponed at First Reading until 9/19/2022. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [22-1474](#) Resolution Expressing Support for Michigan Senate Bill 58 and House Bill 4314 - Holding Polluters Accountable

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

Resolution Expressing Support for Michigan Senate Bill 58 and House Bill 4314 - Holding Polluters Accountable

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

DS **New Business - Staff:**

[22-1380](#) Resolution to Approve a Professional Services Agreement with 5 Lakes Energy, LLC to Complete a Feasibility Study Regarding Creation of a Traditional Municipal Electric Utility and an Evaluation of Other Energy Pathways to Achieve the City's Clean Energy Goals, Along with Initiation of Next Steps to Advance a Local Municipal Sustainable Energy Utility (SEU) (\$458,797) **(8 Votes Required)**

Resolution to Approve a Professional Services Agreement with 5 Lakes Energy, LLC to Complete a Feasibility Study Regarding Creation of a Traditional Municipal Electric Utility and an Evaluation of Other Energy Pathways to Achieve the City's Clean Energy Goals, Along with Initiation of Next Steps to Advance a Local Municipal Sustainable Energy Utility (SEU) (\$458,797) **(8 Votes Required)**

Dr. Missy Stults presented information on the proposed contract and options regarding a possible sustainable energy utility.

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

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

Resolution to Approve a Professional Services Agreement with 5 Lakes

Energy, LLC to Complete a Feasibility Study Regarding Creation of a Traditional Municipal Electric Utility and an Evaluation of Other Energy Pathways to Achieve the City's Clean Energy Goals, Along with Initiation of Next Steps to Advance a Local Municipal Sustainable Energy Utility (SEU) (\$458,797) **(8 Votes Required)**

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.

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

E The following communications were referred as indicated:

Passed on consent agenda

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

- E-1** [22-1464](#) Beth Collins- Resignation from the Elizabeth Dean Fund Committee

- E-2** [22-1456](#) Communication from Washtenaw County Board of Canvassers Regarding the Canvass of Votes Cast at the August 2, 2022 Primary Election

- E-3** [22-1424](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Issuance and Completion of Permit No. WRP034534 - Ann Arbor Public Services - Sustainability

- E-4** [22-1426](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, Regarding the Public Notice Documents for the Campus Apartments at 615 S. Main Street, Submission No. HNY-MSVY-VP9JQ - Ann Arbor Public Services - Sustainability

- E-5** [22-1457](#) Communication from Michigan Department of Environment, Great Lakes,

and Energy (EGLE), Water Resources Division, Regarding the Public Notice Documents for the Foundry Lofts at 413 East Huron Street, Submission No. HNY-NGFN-5JWEX V1 - Ann Arbor Public Services - Sustainability

- E-6** [22-1467](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Issuance and Completion of Permit No. WRP034697 - Ann Arbor Public Services - Sustainability
- E-7** [22-1427](#) Communication from Comcast Regarding Changes to Russian Language Programming, Effective September 7, 2022 - CTN, City Attorney
- E-8** [22-1469](#) Communication from the Office of the Washtenaw County Water Resources Commissioner Regarding Notice of Day of Review of Drainage District Boundaries and Day of Review of Apportionments: Geddes Avenue Drain Drainage District #8125 - Public Services

F **The following minutes were received for filing:**

- F-1** [22-1352](#) Human Rights Commission July 2022 Meeting Minutes
- F-2** [22-1445](#) The City of Ann Arbor Employees' Retirement System Board Meeting Minutes of July 21, 2022
- F-3** [22-1446](#) The Retiree Health Care Benefit Plan & Trust (VEBA) Board Meeting Minutes of July 21, 2022
- F-4** [22-1450](#) June 16, 2022 Council Policy Agenda Committee Meeting Minutes
- F-5** [21-0643](#) Center of the City - Council of the Commons Meeting Minutes March 11, 2021
- F-6** [21-0884](#) Council of the Commons Meeting Minutes April 1, 2021
- F-7** [21-1081](#) Council of the Commons Draft Meeting Minutes May 6, 2021
- F-8** [21-1436](#) Council of the Commons Draft Minutes for June and July 2021

F-9 [21-1727](#) Center of the City Minutes September 2, 2021

F-10 [21-1892](#) Council of the Commons Draft Meeting Minutes October 7, 2021

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

Eric Lipson, independent candidate, thanked Council for passing DS-1. He also thanked the city clerk and her team for their excellent service.

An unidentified speaker handed out written remarks to City Council, regarding alleged discrimination.

Tom Stulberg, of Lowertown, spoke about A2Zero.

Luis Vasquez, resident, expressed disappointment in the fact that Councilmember Hayner voted no on DS-1.

Michelle Hughes, resident, expressed concern that public speakers were allowed to remove their masks during public comment. He urged Council to enforce the mask mandate in Chambers.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner addressed public comments regarding his recent votes in opposition. He stated it is a privilege to be able to stand at Council and complain.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked the community for using A2Fix It. She also thanked DTE for some of their work on street light fixtures and their assistance with these issues.

Councilmember Griswold expressed appreciation to staff, including the new interim police chief.

MAYOR TAYLOR

Mayor Taylor addressed the masking issue at the meeting, noting he did not address violations in the audience. He noted he will be more mindful at meetings in the future.

ADJOURNMENT

A motion was made by Councilmember Briggs, seconded by Councilmember Radina, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:20 p.m.

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

**LIVE: TUESDAY, SEPTEMBER 6, 2022 @ 7:00 P.M.
REPLAY: FRIDAY, SEPTEMBER 9, 2022 @ 8:00 P.M.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.

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

Requests made with less than two business days' notice may not be able to be accommodated.

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