

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Tuesday, February 18, 2020

7:00 PM

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

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 meeting of the Ann Arbor City Council to order at 7:05 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 - 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 Lumm, seconded by Councilmember Ackerman, 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 Howard S. Lazarus presented his written reports for information of Council. He also thanked the Ann Arbor community for the opportunity to serve. He shared his thoughts regarding his tenure in Ann Arbor, acknowledging that depending on the outcome of DC-8, it may be his last meeting.

- AC-1** [20-0274](#) Response to Resolution R-19-569 - Resolution to Support Center of the City Interim Use and Long Term Planning for the Center of the City/Library Lot Property - February 11, 2020

Received and Filed

AC-2 [20-0275](#) Response to Resolution R-19-462 - Resolution Regarding the Michigan Regulation and Taxation of Marihuana Act "Competitive Process" for Adult Use Retailers, Designated Consumption Establishments, and Microbusinesses

Received and Filed

AC-3 [20-0288](#) A2 Zero Report - February 18, 2020

Received and Filed

AC-4 [20-0290](#) February 18, 2020 Agenda Response Memo and eComments

Received and Filed

AC-5 [20-0310](#) Memorandum from City Administrator: Update on Deferred Retirement Option Plan (DROP) for AAPD - February 18, 2020

Received and Filed

AC-6 [20-0311](#) City Administrator's Report - February 18, 2020

Received and Filed

AC-7 [20-0325](#) Memorandum from City Administrator - Response to Resolution R-18-497 - Resolution to Address Crosswalk Improvements and Maintenance - February 18, 2020

Received and Filed

INT INTRODUCTIONS

None.

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. **Elizabeth Collins - Integrated Pest Management (IPM) Best Practices and Turf Grass Reduction Strategies Resolution (DC-3)**
Elizabeth Collins, resident, spoke in support of DC-3, regarding pest management practices.

2. **Rita Mitchell - Integrated Pest Management (IPM) Best Practices and Turf Grass Reduction Strategies Resolution (DC-3)**
Rita Mitchell, 621 Fifth Street, spoke in support of DC-3 and thanked the City and the Office of Sustainability and Innovations for their work on climate action.

3. **Dan Michniewicz - Reliability and Functioning of Detroit Edison Streetlights (DC-7)**
Dan Michniewicz, candidate for Ward Five City Council, spoke about the City's management of street lights and in support of DC-7. He stated the City does a better job of managing street lights than DTE. He also stated City staff do make political decisions.

4. **David Silkworth - Council Communications (DC-2)**
David Silkworth, Ward Five, spoke in support of DC-2, regarding Council Communications.

5. **Joan Lowenstein - Affordable Housing (CA-12)**
Joan Lowenstein, Board Member of Washtenaw Housing Alliance, spoke in support of CA-12 and community goals regarding affordable housing. Ms. Lowenstein also spoke about Council's priorities and the community's values.

6. **Rebecca Arends - Chief Michael Cox (F-4)**
Rebecca Arends and James Daniel, residents of Arrowwood Hills Cooperative, spoke in support of Police Chief Michael Cox. Ms. Arends thanked Council Members for attending public meetings in their neighborhood and she spoke about their experience in the police chief

selection process. She expressed her frustration with the current situation.

7. Juliet Pressel - Police Chief Michael Cox and Communications (F-4 and DC-2)

Juliet Pressel, 2625 Lillian, spoke in support of Police Chief Michael Cox. She expressed frustration that the public does not know why the Chief was suspended. She stated this is an embarrassment and the communications are a disconnect between staff and Council.

8. Michelle Hughes - Barton Drive (CA-6, CA-7)

Michelle Hughes, resident, spoke in support of CA-6 and CA-7, stating the special assessment is necessary to make improvements.

9. Kathleen Stroud - Resolution for City Council Communications (DC-2)

Kathy Stroud, 2271 Placid Way, spoke in support of DC-2, and better communications.

10. Geoffrey Henny - Response to Resolution R-19-569 - Center of the City Interim Use (AC-1)

Geoffrey Henny, resident, spoke about the recommendations of the Center of the City task force. He urged Council to review the recommendations and to support them.

Alternate:

1. Abu Ibrahim

Abu Ibrahim spoke about his issues with the Police Department and City Council.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER EATON

Councilmember Eaton spoke about a recent suicide by a young person from a parking structure. He expressed his desire for the DDA to install permanent suicide prevention barriers on parking structures.

COUNCILMEMBER LUMM

Councilmember Lumm stated that the Independent Community Police Oversight Commission is also meeting right now in the basement conference room. She stated the meeting began at 6pm and is ongoing. The meeting is well attended, she stated, due to the suspension of Police Chief Cox. She stated the Council is expected to receive the report of an independent investigator in the next few days.

COUNCILMEMBER BANNISTER

Councilmember Bannister spoke about the upcoming A2Zero event. She also encouraged the community to attend Sunday evening Caucus meetings, stating Caucus is informal and there is opportunity for the public to participate. Councilmember Bannister encouraged the public to apply for Boards and Commissions positions.

COUNCILMEMBER GRISWOLD

Councilmember Griswold stated she is going to recommend that a second Council Member be assigned to the Transportation Commission, similar to other boards.

Councilmember Griswold stated she would like Council notified whenever a person is killed or seriously injured in the roadway. She also stated she will be bringing forward a resolution to review the City's crosswalk ordinance.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [20-0268](#) Appointments & Nominations

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

Board of Review

*Anne Harlow - Partial Term
(currently appointed as an alternate; this appointment is as a regular member)*

2115 Fulmer Ct.

Ann Arbor, MI 48103

Term: Ending January 31, 2023

Human Rights Commission

Judah Garber-Partial Term

1508 Granger Ave.

Ann Arbor, MI 48104

Term: Ending May 31, 2020

Referred to City Council due back on 3/2/2020.

- MC-2** [20-0319](#) Resolution to Appoint Roger Ahn to Main Street Area Business Improvement Zone Board of Directors (**7 Votes Required**)
Mayor Taylor presented the resolution of appointment for approval at a later date.

Referred to City Council due back on 3/2/2020.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Ramlawi, seconded by Councilmember Griswold, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-5 and CA-12.

CA-1 20-0026 Enactment No: R-20-039 Approved

Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 1015 Newport Rd. (\$5,982.00)

CA-2 20-0027 Enactment No: R-20-040 Approved

Resolution Authorizing Water Capital Recovery Charges for 1015 Newport Rd. (\$2,696.00)

CA-3 20-0028 Enactment No: R-20-041 Approved

Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 2680 Geddes Ave. (\$25,954.00)

CA-4 20-0029 Enactment No: R-20-042 Approved

Resolution Authorizing Water Capital Recovery Charges for 3060 Dover Place. (\$20,971.00)

CA-5 20-0220 Enactment No: R-20-043 Approved

Resolution to Approve the Board of Insurance Administration's January 30, 2020 Recommendations for 2020 Property and Casualty Insurance Renewals **(8 Votes Required)**

CA-6 20-0067 Enactment No: R-20-044 Approved

Resolution No. 2 - Barton Drive Water Main Replacement and Resurfacing Project - Sidewalk Special Assessment District #55, Brede Place to Pontiac Trail

CA-7 20-0068 Enactment No: R-20-045 Approved

Resolution No. 2 - Barton Drive Water Main Replacement and Resurfacing Project - Sidewalk Special Assessment District #60, Barton at Starwick

CA-8 19-2418 Enactment No: R-20-046 Approved

Resolution to Authorize Professional Services Agreements with Material Testing Consultants, Inc. (\$125,000.00); Testing Engineers & Consultants, Inc. (\$125,000.00); Tetra Tech, Inc. (\$125,000.00); CTI and Associates, Inc. (\$125,000.00) and The Mannik and Smith Group, Inc. (\$75,000.00) for As-Needed Geotechnical and Environmental Services

CA-9 20-0075 Enactment No: R-20-047 Approved

Resolution to Approve the Purchase of a Vehicle from Gorno Ford (MiDeal Bid - \$26,382.00)

CA-10 20-0132 Enactment No: R-20-048 Approved

Resolution to Authorize an Increase to the Sole Source Purchase Order with DTE for Compressed Natural Gas Fueling Services (\$50,000.00)

CA-11 20-0063 Enactment No: R-20-049 Approved

Resolution to Approve the Amendment and Renewal of the City's Contract with Blue Cross Blue Shield of Michigan to Provide Administrative Claims Processing Services and Related Stop-Loss Insurance Coverage Through BCS Insurance Company for the City's Health Care Plan on Behalf of Employees and Retirees and Their Dependents, and to Authorize the City

Administrator to Execute the Necessary Documentation (\$1,871,851.00)

CA-12 20-0163 Enactment No: R-20-050 Approved

Resolution to Appropriate Affordable Housing Trust Funds Without Regard to Fiscal Year for Projects Previously Approved by City Council (**8 Votes Required**)

CA-13 20-0174 Enactment No: R-20-051 Approved

Resolution to Approve Street Closings for the Ann Arbor Marathon Running Event - Sunday, March 22, 2020

CA-14 20-0232 Enactment No: R-20-052 Approved

Resolution to Approve Street Closures for MUSIC Matters SpringFest from 4:00 A.M. on Friday, April 17, 2020 until 10:00 P.M.

CA-15 20-0181 Enactment No: R-20-053 Approved

Resolution to Approve a Contract with Stantec Consulting Michigan, Inc. to Provide Lighting Design Services for the Ann Arbor Skatepark (\$38,913.00)

CA-16 20-0229 Enactment No:

~~Resolution to Approve the North University Avenue Street Fair on North University Avenue between Fletcher Street and South Thayer Street on Saturday, April 4, 2020, from 12:00 p.m. to 6:00 p.m., and to Close North University Avenue from Friday, April 3, 2020 at 11:00 a.m. until Sunday, April 5, 2020 at 6:00 p.m. (DELETED FROM AGENDA ON 2/10/20)~~

DELETED FROM AGENDA ON 2/10/20.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [20-0196](#) An Ordinance to Amend Section 1:171 of Chapter 8 (Organization of Boards and Commissions) of the Code of the City of Ann Arbor (Ordinance No. ORD-20-03)

Sponsors: Nelson, Eaton and Griswold

A public hearing was conducted on the proposed amendment to Section 1:171 of Chapter 8 (Organization of Boards and Commissions) of the Code of the City of Ann Arbor (Ordinance No. ORD-20-03). Notice of public hearing was published February 13, 2020.

None.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 20-0193 Enactment No:

Sponsors: Griswold, Eaton, Bannister and Ramlawi

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

Resolution to Establish City Council Mobility Committee

20-0193 Enactment No: Referred

Councilmember Ackerman moved that the Resolution be referred to the Transportation Commission. (The motion failed for lack of a second.)

Resolution to Establish City Council Mobility Committee

20-0193 Enactment No: R-20-054 Approved

The question being, the motion made by Councilmember Griswold, seconded by Councilmember Bannister, that the Resolution be approved, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 7 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution to Establish City Council Mobility Committee

DC-2 20-0194 Enactment No: R-20-055 Approved

Sponsors: Griswold, Eaton and Bannister

A motion was made by Councilmember Griswold, seconded by Councilmember Eaton, that the Resolution be approved. On a roll

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

Yeas: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Grand and Councilmember Smith

Resolution for City Council Communications

DC New Business - Council:

DC-3 20-0230 Enactment No: R-20-056 Approved

Sponsors: Bannister, Smith, Eaton, Hayner and Taylor

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

Resolution Urging the City to Compile and Disseminate Educational and Outreach Materials about Integrated Pest Management (IPM) Best Practices and Turf Grass Reduction Strategies to Owners of Turf Grass within the City

DC-4 20-0236 Enactment No: R-20-057 Approved

Sponsors: Taylor

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

Resolution to Revise 2020 Council Calendar

DC-5 20-0265 Enactment No: R-20-058 Approved

Sponsors: Grand, Ackerman, Taylor, Smith, Ramlawi and Griswold

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

Resolution to Adopt the Washtenaw Housing Alliance’s Affordable Housing Pledge

DC-6 20-0260 Enactment No: R-20-059 Approved

Sponsors: Taylor, Eaton and Ackerman

A motion was made by Councilmember Eaton, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Resolution to Approve Amendment No. 1 to the Veterans Treatment Court Grant Agreement with the Michigan Supreme Court State Court Administrative Office and Appropriate Funds (\$10,000.00) **(8 Votes Required)**

RECESS

Mayor Taylor declared a recess at 8:55 p.m. and reconvened the meeting at 9:11 p.m.

DC-7 20-0298 Enactment No: R-20-060 Approved

Sponsors: Taylor, Griswold, Lumm, Smith, Ramlawi and Bannister

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

Resolution Concerning the Reliability and Functioning of Detroit Edison Streetlights

DC-8 20-0308 Enactment No: R-20-061 Approved

Sponsors: Eaton and Lumm

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

Yeas: 7 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution to Conclude the Employment Agreement with City Administrator Howard S. Lazarus

DB New Business - Boards and Commissions:

DB-1 20-0098 Enactment No: R-20-062 Approved

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

Resolution to Approve the Talpos-Knight Annexation, 1.3 Acres, 2731 Newport (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DS Unfinished Business - Staff:

DS-1 20-0083 Enactment No: Approved

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

Resolution to Appropriate \$5,000.00 from General Fund to Fund Additional Tasks Associated with the Comprehensive Transportation Plan Update Project and to Approve an Amendment to the Professional Services Agreement with Sam Schwartz Consulting, LLC (\$356,670.00) **(8 Votes Required)**

DS New Business - Staff:

DS-2 20-0245 Enactment No:

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

Resolution to Appropriate \$21,700.00 from General Fund to Fund Additional Tasks Associated with the Comprehensive Transportation Plan Update Project and to Approve an Amendment to the Professional Services Agreement with Sam Schwartz Consulting, LLC (\$373,370.00) **(8 Votes Required)**

20-0245 Enactment No: Referred

A motion was made by Councilmember Griswold, seconded by Councilmember Lumm, that the Resolution be referred to the Transportation Commission. On a voice vote, the Mayor declared the motion carried.

Resolution to Appropriate \$21,700.00 from General Fund to Fund Additional Tasks Associated with the Comprehensive Transportation Plan Update Project and to Approve an Amendment to the Professional Services Agreement with Sam Schwartz Consulting, LLC (\$373,370.00) **(8 Votes Required)**

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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

F The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Hayner, seconded by Councilmember Lumm, 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-1** [19-2397](#) 2019 Transportation Commission Annual Report
- F-2** [20-0021](#) Statewide Crosswalk Law Transportation Commission Recommendations
- F-3** [20-0079](#) Fourth Quarter 2019 Investment Portfolio Report
- F-4** [20-0264](#) Communication from City Administrator Howard S. Lazarus Regarding a Notice of Administrative Leave Status for Police Chief Michael Cox

G The following minutes were received for filing:

- G-1** [19-2173](#) Council Administration Committee Meeting Minutes September 16, 2019
- G-2** [19-2174](#) Council Administration Committee Meeting Minutes October 14, 2019
- G-3** [19-2175](#) Council Administration Committee Meeting Minutes October 28, 2019

- G-4** [20-0020](#) Transportation Commission Meeting Minutes of December 2019
- G-5** [20-0031](#) December 17, 2019 City Planning Commission Meeting Minutes
- G-6** [20-0049](#) Human Right Commission Meeting of December 11, 2019
- G-7** [20-0128](#) Environmental Commission Minutes from 12-5-19
- G-8** [20-0134](#) City Planning Commission Meeting Minutes of January 7, 2020
- G-9** [20-0147](#) LDFA Board Meeting Minutes - October 24, 2019
- G-10** [20-0221](#) Insurance Board Meeting Minutes - January 30, 2020
- G-11** [20-0266](#) City Council Caucus Meeting Minutes of October 6, 20, November 3, 17 and December 1, 2019

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Peter Eckstein, resident, spoke about the recent suicides from the City's parking structures. He urged Council to consider permanent fencing solutions to deter future deaths.

Sally Hart Petersen, Ward One, spoke about the Resolution to Conclude the Employment Agreement with the City Administrator. Ms. Petersen expressed her frustration on this decision and urged Council to reconsider.

Julie Roth, resident, spoke in opposition to the Council's vote to terminate the City Administrator, stating it was politically motivated.

Ed Vielmetti, Ward Four, spoke about the termination of the City Administrator and the sections of the separation agreement. He spoke about the non-disparage section of the contract and suggested it be changed to a mutual admiration agreement. He also talked about the non-disclosure agreement.

Kai Petainen, resident, spoke about the agreement to terminate the City Administrator's employment agreement. He expressed concern with staff being terminated due to politics.

Frances Todoro, Vice Chair of ICPOC, shared statements from their recent meeting. The statements were related to the administrative leave of Police Chief Michael Cox and the lack of information and transparency.

Lisa Jackson, Chair of ICPOC, read a statement from their meeting related to the unexpected administrative leave of Police Chief Michael Cox. She stated ICPOC was created to promote trust and transparency and the Commission cannot do its work with this level of secrecy.

Zachary Storey, resident, spoke about the City's affordable housing issue. He also addressed the termination of the City Administrator, expressing his concern and frustration with the vote.

Tim Petersen, Ward One, spoke against the vote to terminate the City Administrator.

Alan Haber, Ward One, stated he came to the meeting to discuss the Community Commons, but was surprised to learn of the vote to terminate the City Administrator.

COMMUNICATIONS FROM COUNCIL

None.

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 Grand, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:05 p.m.

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

**LIVE: MONDAY, FEBRUARY 18, 2020 @ 7:00 P.M.
REPLAY: FRIDAY, FEBRUARY 21, 2020 @ 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.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

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

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

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's Office.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary