

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Final

Monday, August 16, 2021

7:00 PM

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

Electronic Meeting

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

City Council

Enter Meeting ID ~~542 1273~~ 2148

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:00 p.m. in accordance with State and local 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

All participating remotely from the City of Ann Arbor, Washtenaw County, Michigan, with the following exception:

Councilmember Disch participated remotely from Evanston, IL.

Present: 10 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

Absent: 1 - Councilmember Erica Briggs

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator John Fournier presented the following written reports for the information of Council.

AC-1 [21-1514](#) Agenda Response Memo and eComments - August 16, 2021

Received and Filed

AC-2 [21-1528](#) City Administrator's Report - August 16, 2021

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. Steven Hall - Resolution to Extend Approval of Downtown Street Closures for Restaurants and Retail Use (CA-17)

Steven Hall, owner of Spencer Restaurant, spoke in support of CA-17 and urged Council to continue the closures beginning on Thursdays.

2. Harry Cohen - Resolution to Extend Approval of Downtown Street Closures for Restaurants and Retail Use (CA-17)

Harry Cohen, owner of Black Pearl on Main Street, spoke in support of CA-17 and urged Council to continue the closures beginning on Thursdays.

3. Tom Murray - Resolution to Extend Approval of Downtown Street Closures for Restaurants and Retail Use (CA-17); Creation of a Social District (CA-18); Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)

Tom Murray, owner of Conor O'Neill's Pub, spoke in support of CA-17 and urged Council to continue the closures beginning on Thursdays.

4. Charles Ream - Entheogenic Plant and Fungi Awareness Month (DC-2)

Charles Ream, resident, spoke in support of DC-2, Entheogenic Plant and Fungi Awareness Month.

5. Shan Alkevicius - Entheogenic Plant and Fungi Awareness Month (DC-2)

Shan Alkevicius, of West Bloomfield, spoke in support of DC-2, Entheogenic Plant and Fungi Awareness Month.

6. **Julie Barron - Entheogenic Plant and Fungi Awareness Month (DC-2)**
Julie Barron, resident, spoke in support of DC-2, Entheogenic Plant and Fungi Awareness Month.

7. **Jeff Crockett - Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)**
Jeff Crockett, resident, spoke about DC-4 and the need to engage new users of the Library Lane space.

8. **Adam Zemke - Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)**
Not present.

9. **Jean Leverich - Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)**
Jean Leverich, resident, spoke in opposition to DC-4, as currently written.

10. **Anne Bannister - Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)**
Anne Bannister, a Ward 1 resident and former Councilmember, spoke in support of DC-4 and DC-2. She urged Council to follow the Charter, as the voters approved the Community Commons.

Alternates:

1. **Jim Pyke - Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (DC-4)**
Jim Pyke, resident, urged Council to rewrite DC-4, recognizing the existing limitations.

2. **Lefiest Galimore - Equity**

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SONG

Councilmember Song provided an update regarding community childcare options, including through Rec and Ed programs.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi clarified comments he previously made about the City needing an emergency manager. He stated these remarks were misunderstood, stating that he only meant the City should consider an external candidate to serve as interim City Administrator.

COUNCILMEMBER HAYNER

Councilmember Hayner noted that the City's bicentennial is coming up soon. He suggested that City Council should take the lead on recognizing the milestone.

COUNCILMEMBER NELSON

Councilmember Nelson thanked City staff for their work during the recent storms and power outages.

Councilmember Nelson also noted that Graydon Park was also officially dedicated this past weekend, recognizing former Councilmember Graydon Krapohl.

COUNCILMEMBER GRISWOLD

Councilmember Griswold clarified her previous comments regarding affordable housing. She stated social media is not the place to have a real discussion and she hoped that an upcoming Work Session could be dedicated to this topic.

Councilmember Griswold also thanked staff for their work setting up the Pioneer High School storm shelter.

COUNCILMEMBER RADINA

Councilmember Radina spoke about a possible rebate from DTE that may be available to residents who were without power for an extended period of time. He urged residents to apply for the "Reliability Credit"

from DTE.

COUNCILMEMBER GRAND

Councilmember Grand spoke about the passing of long-time Parks Department supporter, George Taylor.

MC COMMUNICATIONS FROM THE MAYOR

None.

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-17 Resolution to Extend Approval of Downtown Street Closures for Restaurant and Retail Use

CA-3 Resolution to Close Streets for the 20th Annual Mayor’s Green Fair, Friday, October 1, 2021

CA-4 Resolution to Approve Street Closures for the A2 Artoberfest from 6:00 AM on Friday, October 8, 2021 through 11:00 PM on Sunday, October 10, 2021

CA-18 Resolution to Approve the Creation of a Social District in the Main Street Area

Passed on consent agenda

A motion was made by Councilmember Nelson, 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-1, CA-9, CA-13, CA-14, CA-15 and CA-16.

CA-1 21-1073 Enactment No: R-21-304 Approved

Resolution to Accept Four Sidewalks for Public Use (8 Votes Required)

CA-2 21-1398 Enactment No: R-21-305 Approved

Resolution to Approve Street Closure of Washington Street between Fletcher and Thayer Streets for the University of Michigan Go Blue Mix on Saturday, September 4, 2021 from 4:00 PM until Midnight

CA-5 21-1325 Enactment No: R-21-306 Approved

Resolution to Approve a Contract with Laser Striping and Sport Surfacing to Convert One Tennis Court to Two Pickleball Courts while Renovating both the Tennis Court and Basketball Court Surfaces at Burns Park (\$87,450.00)

CA-6 21-1396 Enactment No: R-21-307 Approved

Resolution to Approve a Programmatic Partnership Agreement with USDA-NRCS for the Lake Erie Conservation Partnership: Food & Water for the Future of Southeast Michigan RCPP

CA-7 21-1376 Enactment No: R-21-308 Approved

Resolution to Approve Renewal of a Multi-Year Enterprise Agreement with Microsoft Corporation and Related Multi-Year Payment Plan and Sales and Service Agreement with Dell Marketing L.P. (\$1,370,000.00)

CA-8 21-1408 Enactment No: R-21-309 Approved

Resolution to Approve a Purchase Order to BSB Communications, Inc. for a One Year Support Agreement for the City's Mitel phone system (\$69,317.70) (Sourcewell - Government Pricing)

CA-9 21-1411 Enactment No: R-21-310 Approved

Resolution to Approve the Appropriation of \$137,591 from the Information Technology Fund as Matching Funds for the U.S. Department of Commerce Economic Development Administration (EDA) Grant Award for the Ann Arbor-Ypsilanti Broadband Conduit Project (\$137,591) **(8 Votes Required)**

CA-10 21-1307 Enactment No: R-21-311 Approved

Resolution to Approve the Professional Services Agreement with Nordstrom-Samson & Associates, Inc. for Fire Station #1 Renovation Project (\$44,600.00)

CA-11 21-1384 Enactment No: R-21-312 Approved

Resolution to Approve an Agreement with the Washtenaw County Sheriff's Office for Weapons Screening Services in the Ann Arbor Justice Center (NTE \$195,000.00)

CA-12 21-1407 Enactment No: R-21-313 Approved

Resolution to Approve the June 24, 2021 Recommendation of the Board of Insurance Administration to Deny the Claim Filed by Claimant State Farm on behalf of their insured Nancy J. Allee for a Sewer Backup (CC041-21).

CA-13 21-1400 Enactment No: R-21-314 Approved

Resolution to Accept an Easement for Access and Public Utilities at Mallett's Wood Condominium from Mallett's Wood Homeowners Association (**8 Votes Required**)

CA-14 21-1401 Enactment No: R-21-315 Approved

Resolution to Accept North Access Easement at Mallett's Wood Condominium from Mallett's Wood Homeowners Association (**8 Votes Required**)

CA-15 21-1402 Enactment No: R-21-316 Approved

Resolution to Accept South Access Easement at Mallett's Wood Condominium from Mallett's Wood Homeowners Association (**8 Votes Required**)

CA-16 21-1425 Enactment No: R-21-317 Approved

Resolution to Accept a Quitclaim Deed from Mallett's Wood, L.L.C. for Park Land at Mary Beth Doyle Park (**8 Votes Required**)

CA-17 21-1421 Enactment No:

A motion was made by Councilmember Song, seconded by Councilmember Disch, that the Resolution be approved.

Resolution to Extend Approval of Downtown Street Closures for Restaurant and Retail Use

21-1421 Enactment No: Amended

Amended

Resolution to Extend Approval of Downtown Street Closures for Restaurant

Song, seconded by Councilmember Disch, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

Resolution to Extend Approval of Downtown Street Closures for Restaurant and Retail Use

CA-3 21-1437 Enactment No: R-21-319 Approved

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

Yeas: 9 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Ramlawi

Absent: 1 - Councilmember Briggs

Resolution to Close Streets for the 20th Annual Mayor’s Green Fair, Friday, October 1, 2021

CA-4 21-1282 Enactment No: R-21-320 Approved

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

Yeas: 9 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Ramlawi

Absent: 1 - Councilmember Briggs

Resolution to Approve Street Closures for the A2 Artoberfest from 6:00 AM on Friday, October 8, 2021 through 11:00 PM on Sunday, October 10, 2021

CA-18 21-1422 Enactment No: R-21-321 Approved

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

carried:

Yeas: 9 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

Absent: 1 - Councilmember Briggs

Resolution to Approve the Creation of a Social District in the Main Street Area

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [21-1404](#) An Ordinance to Amend Sections 7:360, 7:361 and 7:362 and to Amend by Adding New Sections Which Sections Shall Be Designated as 7:363, 7:364 and 7:365 of Chapter 91 (Endangered Species) of Title VII (Businesses and Trades) of the Code of the City of Ann Arbor (ORD-21-26)

A public hearing was conducted on the proposed Ordinance to Amend Sections 7:360, 7:361 and 7:362 and to Amend by Adding New Sections Which Sections Shall Be Designated as 7:363, 7:364 and 7:365 of Chapter 91 (Endangered Species) of Title VII (Businesses and Trades) of the Code of the City of Ann Arbor (ORD-21-26). Notice of public hearing was published August 5, 2021.

The following persons were present to speak at the hearing:

A Ward 3 resident, and member of PETA, spoke in support, stating the fur trade industry is cruel.

A Ward 5 resident spoke in support.

Bee Friedlander, an animal rights attorney, spoke in support of the current draft.

Molly Tamulevich, of the Huron Valley Humane Society, spoke in support.

Tanya Hilgendorf, Director of the Human Society of Huron Valley, spoke in support.

A member of an animal rights organization spoke in support.

Carol McKeldine spoke in support.

Tom Stulberg, resident, spoke in support.

Kitty Kahn, Ward 5, spoke in support.

Seeing no further persons present for comment, Mayor Taylor declared the hearing closed.

Held and Closed

- PH-2** [21-1406](#) An Ordinance to Add Chapter 123 (Prohibition of Conversion Therapy on Minors) to Title IX of the Code of the City of Ann Arbor (ORD-21-25)
- A public hearing was conducted on the proposed Ordinance to Add Chapter 123 (Prohibition of Conversion Therapy on Minors) to Title IX of the Code of the City of Ann Arbor (ORD-21-25). Notice of public hearing was published August 5, 2021.*

Seeing no one present for comment, Mayor Taylor declared the hearing closed.

Held and Closed**A APPROVAL OF COUNCIL MINUTES**

- A-1** [21-1423](#) Special Session of July 29 and Regular Session Meeting Minutes of August 2, 2021

A motion was made by Councilmember Ramlawi, seconded by Councilmember Radina, that the Special Session of July 29 and Regular Session Meeting Minutes of August 2, 2021 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [21-1404](#) An Ordinance to Amend Sections 7:360, 7:361 and 7:362 and to Amend by Adding New Sections Which Sections Shall Be Designated as 7:363, 7:364 and 7:365 of Chapter 91 (Endangered Species) of Title VII (Businesses and Trades) of the Code of the City of Ann Arbor (ORD-21-26)

A motion was made by Councilmember Hayner, seconded by Councilmember Disch, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

- B-2** [21-1406](#) An Ordinance to Add Chapter 123 (Prohibition of Conversion Therapy on Minors) to Title IX of the Code of the City of Ann Arbor (ORD-21-25)

A motion was made by Councilmember Radina, seconded by Councilmember Grand, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

C ORDINANCES - FIRST READING

C-1 [21-1512](#) An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code (ORD-21-28)
Deleted from Agenda

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 21-1491 Enactment No: R-21-322 Approved

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

Resolution for Community Events Fund Disbursements from the FY 2022 Budget

DC-2 21-1495 Enactment No: R-21-323 Approved

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

Resolution Declaring September Entheogenic Plant and Fungi Awareness Month in Ann Arbor, Michigan

DC-3 21-1453 Enactment No: R-21-324 Approved

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

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Evergreen Downtown

DC-4 21-1507 Enactment No: Deleted from Agenda

Deleted from Agenda

~~Resolution to Approve the Recommendations of The Council of the Commons Regarding Activation of Library Lane Surface Parking Lot for Regular and Recurring Use (Deleted from Agenda on 8/16/21)~~

DC-5 21-1513 Enactment No: R-21-325 Approved

A motion was made by Councilmember Ramlawi, seconded by Councilmember Radina, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.

Resolution to Approve the Purchase of Real Property Located at 519 Eighth Street in Fee Title for \$180,000 Plus Costs Not to Exceed \$20,000 and to Appropriate Funding from the Solid Waste Fund Balance (\$190,000) **(8 Votes Required)**

DC-6 21-1515 Enactment No: R-21-326 Approved

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 Directing Report to Evaluate Interim Measures to Address Flooding Issues in Narrow Gauge Area

DC-7 21-1530 Enactment No:

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

Resolution to Accept Council Administration Committee Recommendation Regarding Interim City Administrator Search and Acting City Administrator

21-1530 Enactment No: Amended

Amended

Resolution to Accept Council Administration Committee Recommendation Regarding Interim City Administrator Search and Acting City Administrator

Councilmember Grand moved the following amendment, supported by Councilmember Griswold:

Add New RESOLVED Clause:

RESOLVED, Effective August 16, Mr. Fournier shall be paid the current salary for the City Administrator while he serves as Acting City Administrator.

The amendment was considered friendly by the Body.

21-1530 Enactment No: R-21-327 Approved as Amended

The question being, the motion that was made by Councilmember Grand, seconded by Councilmember Radina, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried, with one dissenting vote by Councilmember Hayner.

Resolution to Accept Council Administration Committee Recommendation Regarding Interim City Administrator Search and Acting City Administrator

DB New Business - Boards and Commissions:

DS New Business - Staff:

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 Disch, seconded by Councilmember Griswold, 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 [21-1456](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, regarding the public notice documents for the proposed New Use of National Pollutant Discharge Elimination System (NPDES) Certificate of Coverage to The Roxbury Group for the Broadway Park West facility: COC No. MIG081276 - Ann Arbor Public Services - Sustainability

E-2 [21-1487](#) Communications from the State of Michigan Regarding Completed Annexation from Pittsfield Township for Issa - 201 Scio Church Road

Property

- E-3** [21-1488](#) Communication from the State of Michigan regarding City of Ann Arbor Charter Amendment Proposals for the November 2, 2021 Election
- E-4** [21-1489](#) Communications from the State of Michigan Department of Attorney General regarding Approval of the Proposed Charter Amendment to Section 14.3(d) of the Ann Arbor City Charter for the November 2021 Ballot
- E-5** [21-1490](#) Communication from Michigan Governor Gretchen Whitmer regarding Approval of the Proposed Charter Amendment to Section 14.3(d) of the Ann Arbor City Charter for the November 2021 Ballot
- E-6** [21-1493](#) Communications from the State of Michigan Department of Attorney General regarding Approval of the Proposed Charter Amendments to Section 14.2 of the Ann Arbor City Charter for the November 2021 Ballot
- E-7** [21-1509](#) Human Rights Commission Resolution To Ban The Use of Conversion Therapy on Minors

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

- F-1** [21-1171](#) Minutes of the April 20, 2021 PAC Meeting
- F-2** [21-1196](#) Minutes of the May 26, 2021 ZBA Meeting
- F-3** [21-1338](#) Airport Advisory Committee Minutes - May 19, 2021
- F-4** [21-1362](#) LDFA Board Meeting Minutes - June 24, 2021
- F-5** [21-1434](#) City of Ann Arbor Assessor's Board of Review Minutes - July 20, 2021
- F-6** [21-1435](#) Insurance Board Meeting Minutes - July 22, 2021

G **COMMUNICATIONS FROM THE CITY ATTORNEY**

Mr. Postema reported that he has met with Amy Cell Talent regarding the City Attorney search and his succession plan.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked staff for their assistance in drafting DC-6.

Councilmember Griswold stated she called State Representative Yousef Rabhi regarding long-term solutions related to the DTE power outages and their response to the situation.

COUNCILMEMBER SONG

Councilmember Song provided additional details regarding the response to the community's childcare crisis.

ADJOURNMENT

A motion was made by Councilmember Nelson, seconded by Councilmember Disch, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:42 p.m.

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

LIVE: MONDAY, AUGUST 16, 2021 @ 7:00 P.M.

REPLAY: FRIDAY, AUGUST 20, 2021 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network live televised public meetings are also available to watch online live and on-demand from CTN's website, www.a2gov.org/watchctn <<http://www.a2gov.org/watchctn>>, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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 made available upon request.