

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Monday, September 20, 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 7:02 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 Eyer participated remotely from Mackinac Island, Michigan.

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

PROPOSED ITEMS TO BE ADDED TO THE AGENDA

21-1686 An Ordinance to Amend Chapter 112 of Title VI (Police Regulations) of the Code of the City of Ann Arbor

Sponsors: Griswold

APPROVAL OF AGENDA

A motion was made by Councilmember Disch, 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

Acting City Administrator John Fournier presented the following written reports for the information of Council:

AC-1 [21-1618](#) Memorandum in Response to Resolution R-20-285 - Resolution to Implement a 'Rooney Rule' for Executive and Management Level Hires in the City of Ann Arbor

Received and Filed

AC-2 [21-1628](#) Ann Arbor SPARK Semi-Annual Report - January 1, 2021 - June 30, 2021

Received and Filed

AC-3 [21-1655](#) Agenda Response Memo and eComments - September 20, 2021

Received and Filed

AC-4 [21-1666](#) Memo in Response to Resolution R-21-326 - Resolution Directing Report to Evaluate Interim Measures to Address Flooding Issues in Narrow Gauge Area

Received and Filed

AC-5 [21-1689](#) City Administrator's Report - September 20, 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. **Paul Zavala - Flooding Issues in Narrow Gauge Area (AC-4)**
Paul Zavala, resident, spoke about AC-4, regarding flooding problems resulting from the Narrow Gauge Area.

2. **Milt Baker - Flooding Issues in Narrow Gauge Area (AC-4)**
Milt Baker, resident, spoke about AC-4, regarding flooding problems resulting from the Narrow Gauge Area.

3. **Laura Loken - Flooding Issues in Narrow Gauge Area (AC-4)**
Laura Loken, resident, spoke about AC-4, regarding flooding problems resulting from the Narrow Gauge Area.

4. **Ingrid Gunderson - Flooding Issues in Narrow Gauge Area (AC-4)**
Ingrid Gunderson, resident, spoke about AC-4, regarding flooding problems resulting from the Narrow Gauge Area.

5. **Larry Deck - East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-1)**
Larry Deck, resident, spoke about the widening of the bridge at East Medical Center Drive, and asked that consideration be given for more bicycle and pedestrian access to the bridge.

6. **Amir Fleischmann - Resolution to Create the Ann Arbor Renters Commission (DC-2)**
Amir Fleischmann, resident, spoke in support of DC-2 and in favor of a Renters Commission.

7. **Ember McCoy - Resolution to Create the Ann Arbor Renters Commission (DC-2)**
Ember McCoy, resident, spoke in support of DC-2 and in favor of a Renter's Commission.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER NELSON**

Councilmember Nelson updated the public regarding some ongoing construction projects in Ward 4.

COUNCILMEMBER EYER

Councilmember Eyer addressed some concerns in the community regarding Safe House. She stated the County has assured her that issues with service have been addressed.

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about her item regarding mode of transportation, which was listed under the "Proposed Items to be Added to the Agenda." She stated she wanted to draw attention to the item on the agenda to ensure the community was aware that she was working on the issue.

Councilmember Griswold also thanked the neighbors who came to tonight's meeting to speak about flooding at Narrow Gauge.

COUNCILMEMBER HAYNER

Councilmember Hayner talked about Mushroom Fest, which took place last weekend.

He also addressed some of the concerns related to Safe House and said some women seeking services are being sheltered by private citizens stepping in to address the unmet need.

COUNCILMEMBER BRIGGS

Councilmember Briggs spoke about DTE's recent "extreme" tree trimming, stating their actions are not appropriate. She stated she plans to request a meeting with DTE regarding this practice.

COUNCILMEMBER GRAND

Councilmember Grand stated the Administration Committee of Council is working on a checklist for Council Members to help guide the process when new resolutions are being considered.

COUNCILMEMBER SONG

Councilmember Song also thanked the Narrow Gauge residents for bringing their concerns with flooding in the area to the attention of Council.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi asked to be part of the conversation with DTE regarding tree trimming.

Councilmember Ramlawi also noted that the checklist project for Council was not the work of the Admin Committee, but of certain Members.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [21-1642](#) Appointments - Confirmations

Mayor Taylor presented the following appointment for confirmation at a later date:

Economic Development Corporation Board

Larry Eiler-Partial Term

4712 Breezewood Ct.

Ann Arbor, MI 48103

Term: Ending May 31, 2027

Referred to the City Council due back on 10/4/2021

MC-2 [21-1648](#) Resolution to Appoint Paul Krutko to the Economic Development Corporation Board (7 Votes Required)

Sponsors: Taylor

Mayor Taylor presented the following resolution of appointment for confirmation at later date.

Referred to the City Council due back on 10/4/2021

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-2 Resolution to Approve a Contribution Agreement with Traver Lakes Community Maintenance Association Regarding the Replacement of a Sidewalk on Traver Boulevard between Lakehurst Lane and Nixon Road (\$56,000.00)

CA-1 Resolution to Approve a Professional Services Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$1,011,319.29) (RFP 21-20)

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Nelson, 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-3, CA-7 and CA-8.

CA-3 21-1026 Enactment No: R-21-353 Approved

Resolution to Appropriate the Downtown Development Authority's Contribution to the Streetlight Replacement and Painting Project (\$150,000.00) (8 Votes Required)

CA-4 21-1050 Enactment No: R-21-354 Approved

Resolution to Approve a Professional Services Agreement with Davey

CA-1 21-1442 Enactment No:

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

Resolution to Approve a Professional Services Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$1,011,319.29) (RFP 21-20)

21-1442 Enactment No:

Postponed

A motion was made by Councilmember Eyer, seconded by Councilmember Griswold, that the Resolution be postponed until 10/18/2021. 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 Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 2 - Councilmember Hayner and Councilmember Nelson

Resolution to Approve a Professional Services Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$1,011,319.29) (RFP 21-20)

Staff was instructed to research the following information for Council during the postponement:

- *Data to support the proposal to widen the bridge.*
- *Professional services agreement to include provisions for pedestrian improvement.*

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [21-1258](#) 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) (ORD-21-27)
- A public hearing was conducted on the proposed 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) (ORD-21-27). Notice of public hearing was published September 16, 2021.*

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

Held and Closed

- PH-2** [21-1512](#) An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code (ORD-21-28)
- Sponsors:** Taylor and Eyer
- A public hearing was conducted on the proposed Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code (ORD-21-28). Notice of the public hearing was published September 16, 2021.*

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

- A-1** [21-1621](#) Regular Session Meeting Minutes of September 7, 2021

A motion was made by Councilmember Disch, seconded by Councilmember Radina, that the Regular Session Meeting Minutes of September 7, 2021 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [21-1258](#) 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) (ORD-21-27)

A motion was made by Councilmember Disch, supported by Councilmember Radina, that the Ordinance be adopted at Second Reading.

A motion was made by Councilmember Ramlawi, seconded by Councilmember Griswold, that the Ordinance be referred to the Transportation Commission for further review. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 2 - Councilmember Hayner and Councilmember Ramlawi

Nays: 9 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

The question being, the motion that was originally made by Councilmember Disch, seconded by Councilmember Radina, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

- B-2** [21-1512](#) An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code (ORD-21-28)

Sponsors: Taylor and Eyer

A motion was made by Councilmember Eyer, seconded by Councilmember Disch, that the Ordinance be adopted on Second Reading.

A motion was made by Councilmember Disch, seconded by Councilmember Eyer, that the Ordinance be amended as follows:

Amend Section 9:45 as follows:

- 2) Dangerous animal. An animal which has done any of the following:**
 - (a) Bitten a person so as to cause visible trauma such as a puncture wound, laceration, or other piercing of the skin, or caused broken bones;**
 - (b) Repeatedly attacked, chased, or menaced any person OR DOG; or**
 - (c) Damaged the property (including animals) of persons other than the owner**

ALL CAPS indicate new language.

On a voice vote, the Mayor declared the motion carried.

A motion was made by Councilmember Disch, seconded by Councilmember Eyer, that the Ordinance be amended as follows:

Amend Section 9:45 as follows:

- 2) Dangerous animal. An animal which has done any of the following:**
 - (a) Bitten a person so as to cause visible trauma such as a puncture wound, laceration, or other piercing of the skin, or caused broken bones;**
 - (b) Repeatedly attacked, chased, PROVOKED, or menaced any person or dog; or**
 - (c) Damaged the property (including animals) of persons other than the owner**

ALL CAPS indicate new language.

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

Yeas: 6 - Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Disch, Councilmember Song and Councilmember Eyer

DC-2 21-1649 Enactment No:

Sponsors: Disch, Radina, Taylor, Briggs and Griswold

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

Resolution to Create the Ann Arbor Renters Commission

21-1649 Enactment No:

Amended

A motion was made by Councilmember Nelson, seconded by Councilmember Griswold, that the Resolution be amended as follows:

Remove Section E regarding non-voting landlord members.

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

- Yeas:** 5 - Mayor Taylor, Councilmember Griswold, Councilmember Nelson, Councilmember Song and Councilmember Eyer
- Nays:** 6 - Councilmember Grand, Councilmember Hayner, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch and Councilmember Radina

Resolution to Create the Ann Arbor Renters Commission

21-1649 Enactment No: Amended

A motion was made by Councilmember Nelson, seconded by Councilmember Hayner, that the Resolution be amended as follows:

a. The commission shall have 11 voting members appointed **INITIALLY** by the Mayor with the approval of the City Council and appointed to two-year terms, which shall be staggered so that approximately one half of the terms expire each year. **FOR ALL FUTURE APPOINTMENTS TO THE COMMISSION, THE COMMISSION SHALL DESIGNATE A GROUP CONSISTING OF THE CITY COUNCIL LIAISONS AND ONE OR MORE VOTING MEMBERS OF THE BOARD OR COMMISSION TO REVIEW APPLICATIONS FOR MEMBERSHIP. FUTURE APPOINTEES WILL HAVE THE RECOMMENDATION OF THE COMMISSION.**

ALL CAPS indicate new language.

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

Yeas: 5 - Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi and Councilmember Radina

Nays: 6 - Mayor Taylor, Councilmember Grand, Councilmember Briggs, Councilmember Disch, Councilmember Song and Councilmember Eyer

Resolution to Create the Ann Arbor Renters Commission

21-1649 Enactment No: Amended

Sponsors: Disch, Radina, Taylor, Briggs and Griswold

Amended

Resolution to Create the Ann Arbor Renters Commission

Councilmember Ramlawi proposed the following amendment, supported by Councilmember Griswold:

Add new language:

Whereas, The City of Ann Arbor is committed to developing, implementing, and advancing a Diversity, Equity, and Inclusion program.

- E-2** [21-1575](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) regarding the issuance of Permit No. WRP030517 - Ann Arbor Public Services - Sustainability
- E-3** [21-1620](#) 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 Hoover Greene Owner LLC for the 950 Greene Street Pool: COC No. MIG760057 - Ann Arbor Public Services - Sustainability
- E-4** [21-1594](#) Communication from Michigan Governor Gretchen Whitmer Regarding Timeliness of Charter Amendment Submissions
- E-5** [21-1604](#) Communication from the Washtenaw County Clerk regarding notice of virtual public hearings scheduled for September 2021 by the Washtenaw County Apportionment Commission, seeking public input regarding the 2022 Washtenaw County Apportionment Plan.
- F** **The following minutes were received for filing:**
- F-1** [20-1641](#) ICPOC Draft September 2020 Meeting Minutes
- F-2** [20-1761](#) Human Rights Commission September 2020 Minutes
- F-3** [21-1433](#) Greenbelt Advisory Commission (GAC) Minutes May 6, 2021
- F-4** [21-1444](#) July 2021 Transportation Commission Meeting Minutes
- F-5** [21-1516](#) August 3, 2021 City Planning Commission Meeting Minutes
- F-6** [21-1529](#) Human Rights Commission June 2021 Meeting Minutes

- F-7 [21-1531](#) City Election Commission Meeting Minutes of January 14, 2021
- F-8 [21-1549](#) ICPOC June 2021 Meeting Minutes
- F-9 [21-1550](#) LDFA Board Meeting Minutes - July 22, 2021
- F-10 [21-1570](#) Insurance Board Meeting Minutes - August 26, 2021

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Michelle Hughes, resident, urged Council to reconsider the decision to allow landlords on the Renters Commission, stating this was a mistake.

Jamie Magiera, Ward 3, spoke about Boards and Commissions.

Edward Vielmetti, Ward 4, suggested that the new Renters Commission be tasked to look at inspection standards.

Tom Stulberg, landlord, stated groups should work together, including landlords and tenants.

Cara, a local renter, stated she is worried about retaliation from her landlord if she was to become a member of the new Renters Commission.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER HAYNER**

Councilmember Hayner talked about the fact that many businesses are also renters. He suggested that business owners who rent should also be part of the make-up of the Renters Commission.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi stated DTE power outages in the Old West Side are becoming increasingly common.

Councilmember Ramlawi also spoke about the state of trash collection in the downtown, stating it is unacceptable.

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about her proposed item on the agenda. She thanked Assistant City Attorney John Reiser for his work on the ordinance, and stated these proposed changes to non-discrimination would address the current discriminatory practice of denying walk-up patrons to get COVID-19 tests at drive-through pharmacies.

COUNCILMEMBER SONG

Councilmember Song spoke about encouraging the use of walk-in clinics for COVID-19 testing in town that are on bus routes.

ADJOURNMENT

A motion was made by Councilmember Griswold, seconded by Councilmember Hayner, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:34 p.m.

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

LIVE: MONDAY, SEPTEMBER 20, 2021 @ 7:00 P.M.
REPLAY: FRIDAY, SEPTEMBER 24, 2021 @ 8:00 P.M.

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

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

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