

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Action Minutes - Final

Monday, November 6, 2023

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

To sign up for public comment, call the City Clerk's Office
between 8am - 5pm at 734-794-6140 on the day of the meeting.

City Council

Public commentary can be made in person or by calling Zoom at:
877-853-5247 or 888-788-0099

Enter Meeting ID 942 1273 2148

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

Present: 11 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Ayesha Ghazi Edwin, Councilmember Chris Watson, Councilmember Dharma Akmon and Councilmember Jennifer Cornell

APPROVAL OF AGENDA

Approved as presented

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

AC-1 [23-1838](#) Agenda Response Memo and eComments - November 6, 2023
Attachments: 231106 Agenda Response MemoFinal.pdf, ecomments_export.pdf
Received and Filed

AC-2 [23-1853](#) City Administrator's Report - November 6, 2023
Attachments: 231106 City Administrator's Report Final.pdf
Received and Filed

INT INTRODUCTIONS

INT-1 [23-1731](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update
Deleted from Agenda

PUBLIC COMMENTARY (3 MINUTES PER SPEAKER, 45 MINUTES TOTAL)

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

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

**TO PARTICIPATE ONLINE, CALL ZOOM AT: 877 853 5247 or 888 788 0099
ENTER MEETING ID 942 1273 2148**

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

- 1. Bret Hautamaki - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (phone)**
- 2. Eric Ivancich - Ordinance Regarding Ch. 55 (UDC) - Premiums, D1 and D2 Floor Area Ratio (C-3); Ordinance Regarding Ch. 55 (UDC) - TC1 Front Setback (C-4); Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (phone)**
- 3. Chris Stansbury - Resolution to Approve a Professional Services Agreement with Hubbell, Roth & Clark, Inc. to complete a Citywide Drainage Analysis for Gravel Roads (CA-2) (phone)**
- 4. Alexandra Lindstrom - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (in person)**
- 5. Kathryn Kochunas - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (phone)**
- 6. Michelle Hughes - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (phone)**
- 7. Ken Garber - Ordinance to Rezone 8.3 Acres from P to C2B, 900 Briarwood Circle (C-2) (in person)**
- 8. Ross Smith - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4) (phone)**
- 9. Jeff Hayner - Resolution Regarding a Contract with THRONE Labs, Inc. (CA-18) (in person)**
- 10. Kathy Griswold - Resolution to Accelerate Safety Improvements on Multilane Roads (DC-4); The Environmental Protection Agency (in person)**
- 11. Abubakar Ibrahim - ICPOC Update and ICPOC In General (in person)**
- 12. Rima Mohammad - The Impact on Our Community Due to Current Events (in person)**

13. Jonathan Hoard - Public Finances (in person)
14. Annie Wolock - Being Jewish in Ann Arbor (in person)
15. Peter Eckstein - Democracy in Ann Arbor (in person)
16. Henry Herskovitz - Holocaust Education in Ann Arbor Public Schools (in person)

CC COMMUNICATIONS FROM COUNCIL**MC COMMUNICATIONS FROM THE MAYOR**

- MC-1** [23-1704](#) Appointments - Confirmations
Approved
- MC-2** [23-1789](#) Nominations and Appointments for November 6, 2023
Referred

CA CONSENT AGENDA**Passed on consent agenda****Approved as presented**

- CA-1** [23-1211](#) Resolution to Approve a Professional Services Agreement with TetraTech, Inc to complete a Feasibility Analysis of a Selection of Stormwater Projects that have been included in the City's Capital Improvements Plan (CIP), RFP No. 23-21 (\$160,450.00)
Attachments: FEES_TetraTech.pdf, Workplan_TetraTech.pdf
Approved
Enactment No: R-23-392
- CA-2** [23-1654](#) Resolution to Approve a Professional Services Agreement with Hubbell, Roth & Clark, Inc. to complete a Citywide Drainage Analysis for Gravel Roads, RFP No. 23-40 (\$1,000,000.00)
Attachments: FEES_HRC.pdf, HRC_Ann_Arbor_Gravel_Roads_WORKPLAN.pdf
Approved
Enactment No: R-23-393
- CA-3** [23-1655](#) Resolution to Approve Change Order No. 1 with Anglin Civil, LLC for the Wheeler Facility Pond Dredging Project (ITB #4665) (\$303,473.88 Increase; Total Contract Amount \$1,262,267.87)

Attachments: Wheeler Increases 9.26.23.pdf

Approved

Enactment No: R-23-394

CA-4 [23-1643](#) Resolution to Approve a Sole Source Purchase Order to Service Electric Supply, Inc. for Large Electric Motor Soft Starters (\$40,067.00)

Attachments: Service Electric
SOLE_SOURCE-BEST_SOURCE_JUSTIFICATION_2020_noSignatures.pdf, Service electric quote (1).pdf, Vendor outreach 1.pdf, COI Non dis.pdf, Vendor outreach 2.pdf

Approved

Enactment No: R-23-395

CA-5 [23-1678](#) Resolution to Approve a Purchase Order to Justice AV Solutions, Inc. for Courtroom Technology, Software, and Professional Services for the 15th District Court (\$261,951.79)

Attachments: JUST-3370 MI Washtenaw County 15th District - Ann Arbor Courtroom 4 Rev2.pdf, JUST-3369 MI Washtenaw County 15th District - Ann Arbor Courtroom 3 Rev2.pdf, JUST-3367 MI Washtenaw County 15th District - Ann Arbor Courtroom 2 Rev2.pdf, JUST-3371 MI Washtenaw County 15th District - Ann Arbor Magistrate Rm Rev2.pdf

Approved

Enactment No: R-23-396

CA-6 [23-1680](#) Resolution to Approve a Purchase Order to Thalner Electronic Laboratories, Inc. for the Purchase of Audio/Video Technology for the City of Ann Arbor Council Chambers (\$164,633.21)

Attachments: City Council Chambers AV Upgrade_UPDATED QUOTE_17927_09132023.pdf

Approved

Enactment No: R-23-397

CA-7 [23-1784](#) Resolution to Accept a Storm Sewer Easement at 1113 Bydding Road and 1111 Miner Street from Peter Woolf **(8 Votes Required)**

Attachments: Stormwater Easement Drawing - 1111 Miner and 1113 Bydding.pdf

Approved

Enactment No: R-23-398

CA-8 [23-1728](#) Resolution to Approve Amendment Number 2 to the Professional Services Agreement with CDM Smith Michigan Inc. for Consulting and Expert Witness Services Relative to *Platt Convenience, Inc. v. City of Ann Arbor* (\$50,000.00 amendment; \$125,000.00 total contract) and to Appropriate Funds **(8 Votes Required)**

Attachments: Amendment 2 to CDM Smith Expert Witness Agmt - Platt

10-06-23.pdf, Second Amended Exhibit B Compensation.pdf

Approved

Enactment No: R-23-399

- CA-9** [23-1729](#) Resolution to Approve Amendment Number 3 to the Professional Services Agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C., for Legal Services Relative to *Platt Convenience, Inc. v. City of Ann Arbor* (\$315,000.00 amendment; \$1,125,000.00 total contract)

Attachments: RSJA Platt Amendment 3 updated.pdf, Platt - RSJA Amendment 3 Exhibit B updated.pdf

Approved

Enactment No: R-23-400

- CA-10** [23-1775](#) Resolution to Approve Amendment Number 4 to the Agreement with Monaghan, P.C. for Legal Services Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests

Attachments: Monaghan Legal Services Agreement Amendment No 4 10-18-23.pdf, Monaghan Legal Services Agreement 4th amended Ex B 10-06-23_Exhibit_B updated.pdf

Approved

Enactment No: R-23-401

- CA-11** [23-1786](#) Resolution to Approve the Stipulation and Settlement Agreement in Michigan Public Service Commission Case No. U-21376 Regarding DTE's Distributed Generation Tariff Options

Attachments: U-21376- UPDATED-FINAL Draft Settlement Agreement 10.12.23.pdf, U-21376 FINAL Settlement Agreement - Attachment A Reporting Template 10.12.23.pdf

Approved

Enactment No: R-23-402

- CA-12** [23-1740](#) Resolution to Approve Street Closure of Detroit Street between Catherine and Fifth Streets on Friday, December 1, 2023 from 8:00 AM until 11:00 PM for KindleFest 2023

Attachments: Kindfest 2023 Map.pdf

Approved

Enactment No: R-23-403

- CA-13** [23-1777](#) Resolution to Approve a Grant Application to USDA-NRCS ACEP for the Purchase of a Conservation Easement on the Hamilton Property

Attachments: Hamilton Aerial Map.pdf, Hamilton Protected Map.pdf

Approved

Enactment No: R-23-404

- CA-20** [23-1797](#) Resolution to Approve a Subrecipient Agreement with Community Action Network to Lead Community Engagement as Part of the U.S. Department of Energy District Geothermal Grant in the Bryant Neighborhood (\$94,000.00)

Attachments: Assistance_DE-EE0010665.pdf, Attachment 1 Statement of Project of Objectives (1).pdf, Attachment 2, Federal Assistance Reporting Checklist.pdf, Attachment 3, Budget Information.pdf, Attachment 4, Intellectual Property Provisions.pdf, Attachment 5, Diversity, Equity, and Inclusion Plan.pdf, Special Terms and Conditions.pdf, Ann Arbor DOE Subrecipient Agreement_CAN.pdf

Approved

Enactment No: R-23-411

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.

A APPROVAL OF COUNCIL MINUTES

- A-1** [23-1739](#) Work Session of October 10 and Regular Session Meeting Minutes of October 16, 2023

Attachments: 10-10-23 Work Session Draft Minutes.pdf, 10-16-23 Draft Minutes.pdf, Council Emails 10.16_Redacted.pdf

Approved

B ORDINANCES - SECOND READING

C ORDINANCES - FIRST READING

- C-1** [23-1609](#) An Ordinance to Amend Chapter 55 (Zoning), Amendment to the approved PUD (Planned Unit Development District), Lockwood of Ann Arbor PUD Zoning and Supplemental Regulations, 2195 East Ellsworth (CPC Recommendation: Approval - 6 Yeas and 0 Nays) (ORD-23-30)

Attachments: ORD-23-30 Briefed and Approved.pdf, ORD-23-30 Briefed.pdf, Lockwood PUD revised Staff Report May 2023- Copy.pdf, Lockwood 2023 REV PUD Ordinance.pdf, 6-6-2023 CPC Approved Meeting Minutes.pdf, 2195 E Ellsworth Rd Zoning Map.pdf, ORD-23-30 Approval Notice.pdf, WLN clipping ORD-23-30 Lockwood PUD Revision - Public Hearing Notice.pdf, WLN clipping ORD-23-30 Lockwood PUD Revision - Approval Notice.pdf

Approved on First Reading

Enactment No: ORD-23-30

- C-2** [23-1720](#) An Ordinance to Amend the Zoning Map, Being a Part of Section 5.10.2 of Chapter 55 of Title V of The Code of The City of Ann Arbor, Rezoning

of 8.3 Acres from P (Parking District) to C2B (Business Service District), 900 Briarwood Circle (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-31)

Attachments: ORD-23-31 Briefed and Approved.pdf, ORD-23-31 Briefed.pdf, 900 Briarwood Zoning Ordinance.pdf, 900 Briarwood Staff Report 10-3-23.pdf, 900 Briarwood Cir Aerial Map.pdf, 900 Briarwood Cir Zoning Map.pdf, ORD-23-31 Approval Notice.pdf, WLN clipping ORD-23-31 Briarwood Zoning - Public Hearing Notice.pdf, WLN clipping ORD-23-31 Briarwood Zoning - Approval Notice.pdf

Approved on First Reading

Enactment No: ORD-23-31

C-3 [23-1631](#)

An Ordinance to Amend Sections 5.17.4 and 5.18.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Premiums, D1 and D2 Floor Area Ratio) CPC Recommendation: Approval (7 Yeas, 0 Nays) (ORD-23-32)

Attachments: ORD-23-32 Briefed and Approved.pdf, ORD-23-32 Briefed.pdf, Ordinance (Premiums, D1 D2 FAR) tracked, September 19, 2023 Planning Staff Report, September 11, 2023 CWA Report, Ordinance (Premiums, D1 and D2 FAR) no tracking, ORD-23-32 Approval Notice.pdf, WLN clipping ORD-23-32 Premiums D1 D2 FAR - Public Hearing Notice.pdf, WLN clipping ORD-23-32 Premiums D1 D2 FAR - Approval Notice.pdf

Approved on First Reading

Enactment No: ORD-23-32

C-4 [23-1635](#)

An Ordinance to Amend Sections 5.10.2 and 5.17 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (TC1 Front Setback) (CPC Recommendation: Denial, 5 Yes, 3 No) (ORD-23-33)

Attachments: ORD-23-33 Briefed and Approved.pdf, ORD-23-33 Briefed.pdf, Ordinance (TC1 Front Setback) 2023-11-20.pdf, Street Type Designation Map (TC1 Front Setback) 2023-11-20.pdf, September 6, 2023 Planning Staff Report (TC1 Front Setback).pdf, September 6, 2023 Planning Staff Presentation (TC1 Front Setback).pdf, September 6, 2023 Planning Commission Minutes.pdf, ORD-23-33 Approval Notice.pdf, WLN clipping ORD-23-33 TC1 Front Setbacks - Public Hearing Notice.pdf, WLN clipping ORD-23-33 TC1 Front Setbacks - Approval Notice.pdf

Approved on First Reading

Enactment No: ORD-23-33

D **MOTIONS AND RESOLUTIONS**

DC **Unfinished Business - Council:**

DC-1 [23-1706](#)

Resolution to Appoint Anya Ganger to the Health and Human Services

Advisory Board(7 Votes Required)

Approved

Enactment No: R-23-412

DC New Business - Council:

DC-2 [23-1799](#) Resolution to Approve a Subrecipient Agreement with IMEG Consultants Corp. for Technical Leadership in the Bryant District Geothermal Project as Awarded by the U.S. Department of Energy (\$246,250.00)

Attachments: Assistance_DE-EE0010665.pdf, Attachment 1, Statement of Project of Objectives.pdf, Attachment 2, Federal Assistance Reporting Checklist.pdf, Attachment 3, Budget Information.pdf, Attachment 4, Intellectual Property Provisions.pdf, Attachment 5, Diversity, Equity, and Inclusion Plan.pdf, Special Terms and Conditions.pdf, ANN ARBOR DOE Grant Subrecipient Agreement Template-IMEG 10.24.23.pdf

Approved

Enactment No: R-23-413

DC-3 [23-1659](#) Resolution to Permanently Relocate Precinct 2-20 from the First United Method Church at 1001 Green Road to King Elementary School at 3800 Waldenwood Lane Beginning with the 2024 Presidential Primary Election

Attachments: Proposed 2-19 and 2-20 Polling Place Location changes Map.pdf

Approved

Enactment No: R-23-414

DC-4 [23-1851](#) Resolution to Accelerate Safety Improvements on Multilane Roads

Enactment No: R-23-415

Amended

Enactment No: R-23-415

Amended

Yeas: 4 - Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin and Councilmember Watson

Nays: 7 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Akmon and Councilmember Cornell

Enactment No: R-23-415

[23-1851](#) Resolution to Accelerate Safety Improvements on Multilane Roads

Approved as Amended

Enactment No: R-23-415

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).

that Council enter into Closed Session

Yeas: 11 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin, Councilmember Watson, Councilmember Akmon and Councilmember Cornell

Nays: 0

RECONVENE IN OPEN SESSION

that the meeting reconvene

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

E The following communications were referred as indicated:

Passed on consent agenda

Approved as presented

E-1 [23-1788](#) 2023 Annual Report of the Economic Development Corporation

Attachments: EDC Annual Report 2023.pdf

Approved

E-2 [23-1796](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21425 Scheduled for November 15, 2023 - Sustainability - City Attorney

Approved

E-3 [23-1561](#) Transportation Commission Resolution to Restore Community Connections with Continuous, Comfortable Walking and Biking Facilities across US-23

Attachments: US23 Bike Ped Access Resolution_Draft_2023.09.14.pdf

Approved

E-4 [23-1563](#) Transportation Commission Traffic Calming Plan Grandview Dr

(Jackson Rd to Dexter Rd)

Attachments: Grandview Traffic Calming Final Plan.pdf

Approved

E-5 [23-1821](#) Lucy Peterson- Resignation from the Renters Commission

Attachments: Peterson Resignation_Redacted.pdf

Approved

E-6 [23-1833](#) Risk Fund Claims Review Report - October 2023

Attachments: CITY OF ANN ARBOR RISK FUND CLAIMS REPORT 10.2023.pdf

Approved

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

F-1 [23-1272](#) July 18 2023 City Planning Commission Meeting Minutes

Attachments: 7-18-2023 DRAFT CPC Meeting Minutes.pdf

Approved

F-2 [23-1381](#) August 1, 2023 City Planning Commission Meeting Minutes

Attachments: 8-1-2023 DRAFT CPC Meeting Minutes .pdf

Approved

F-3 [23-1559](#) Transportation Commission Meeting Minutes - AUG 2023

Attachments: August Meeting Minutes - 2023.pdf

Approved

F-4 [23-1566](#) Minutes of the July 20, 2023 Renters Commission Meeting

Attachments: 7-20-2023 Renters Commission Minutes 10.16.pdf

Approved

F-5 [23-1569](#) August 15, 2023 PAC Meeting Minutes

Attachments: 8_15_23 PAC MEETING MINUTES.pdf

Approved

F-6 [23-1613](#) 9/12/23 Energy Commission Meeting Minutes

Attachments: Minutes_Energy_Commission_23-09-12.pdf

Approved

F-7 [23-1675](#) ICPOC September 2023 Meeting Minutes

Attachments: ICPOC September 2023 Meeting Minutes.pdf
Approved

F-8 [23-1732](#) Council Administration Committee Minutes - September 12, 2023

Attachments: 230912 Council Administration Committee Minutes Final.pdf
Approved

F-9 [23-1782](#) The City of Ann Arbor Employees' Retirement System Board Meeting Minutes for September 21, 2023

Attachments: RS BDMTG September 2023.pdf
Approved

F-10 [23-1783](#) The City of Ann Arbor Retiree Health Care Benefits Plan and Trust Board Meeting Minutes from September 21, 2023

Attachments: B VEBA BD September 2023.pdf
Approved

G COMMUNICATIONS FROM THE CITY ATTORNEY

PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)

***THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

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

17. Blaine Coleman - We Are Against Military Aid to Israel (in person)

18. Mozhgan Savabieasfahani - We Are Against Military Aid to Israel (in person)

ADJOURNMENT

Adjourn

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

LIVE: MONDAY, NOVEMBER 6, 2023 @ 7:00 P.M.

REPLAY: FRIDAY, NOVEMBER 10, 2023 @ 8:00 P.M.

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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 during regular business hours.