

ROUGHLY EDITED TRANSCRIPT

ANN ARBOR  
CITY COUNCIL MEETING  
OCTOBER 18, 2021  
6:30 P.M.

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>> Mayor Taylor: Good evening, everyone.  
Welcome to the Monday October 18 meeting of the Ann Arbor city council.  
If you are able, please rise and join us for a moment of silence, followed by the  
Pledge of Allegiance.  
>> I pledge allegiance to the flag of the United States of America, and to the  
republic for which it stands: One nation indivisible, with liberty and justice for all.  
Would our clerk please call the roll of council.  
>> Clerk Beaudry: Councilmember Hayner.  
>> Councilmember Hayner: Here.  
In tree city Ann Arbor.  
>> Clerk Beaudry: Councilmember Disch.  
>> Councilmember Disch: Here.  
In Ann Arbor.  
>> Clerk Beaudry: Councilmember Griswold.  
>> Councilmember Griswold: Here.  
Ann Arbor.  
>> Clerk Beaudry: Councilmember Song.  
>> Councilmember Song: Here.

Ann Arbor.

>> Clerk Beaudry: Councilmember Grand.

>> Councilmember Grand: Here.

In Ann Arbor.

>> Clerk Beaudry: Councilmember Radina.

>> Councilmember Radina: Here.

In Ann Arbor.

>> Clerk Beaudry: Mayor Taylor.

>> Mayor Taylor: Here.

In Ann Arbor.

>> Clerk Beaudry: Councilmember Eyer.

>> Councilmember Eyer: Here.

Ann Arbor.

>> Clerk Beaudry: Councilmember Nelson.

>> Councilmember Nelson: Here.

In Ann Arbor.

>> Clerk Beaudry: Councilmember Briggs.

>> Councilmember Briggs: Here.

In Ann Arbor.

>> Clerk Beaudry: Councilmember Ramlawi.

>> Councilmember Ramlawi: Present.

Ann Arbor.

>> Clerk Beaudry: We have a quorum.

>> Mayor Taylor: Excellent.

May I have a motion to approve the agenda.

Moved by Councilmember Radina, seconded by Councilmember Disch.

Discussion of the agenda?

All in favor?

Opposed?

The agenda is approved.

Do we have any communications today from our city administrator?

>> Yes, Mr. Mayor, just briefly, I wanted to note that today actually ends my two-month stint as the acting city administrator, and it has been my privilege to serve in this capacity on behalf of the council.

I want to thank the council for their support and note that Mr. Milton Dohoney, our new administrator was on scene today and had a good old-fashioned Ann Arbor welcome, which is to say a curious welcoming, but also was directly into the fire, so to speak, running the city organization.

So thank you all to the members of council.

It's been my pleasure and I look forward to returning to being the assistant city administrator from this point forward.

Thank you.

>> Mayor Taylor: Thank you.

We now come to an introduction, and we have representatives from the I.C.C. here, I believe, is that correct?

Excellent good.

To see you.

And so it's an introduction, when we celebrate cooperatives.

As folks know, there are cooperatives all throughout the city, state and country and the world, indeed, and they provide a wide variety of benefits and society at large.

You know, many of us here at the table have a history with cooperatives.

I myself was city council president back in -- pardon me, city council president?

I'm getting my organizations mixed up.

I was I.C.C. president back in 1989-1990, perhaps President Tabron, you will be destined to serve here or elsewhere some day.

We will read the proclamation with October being co-op month.

WHEREAS, Cooperative businesses are a unique form of collaborative business which exist in large numbers throughout the United States and the world; and

WHEREAS, 120 million U.S. residents are members of 48,000 U.S. co-ops and more than 700 million people are co-op members in over 100 countries; and

WHEREAS, Cooperative businesses in Michigan employ thousands of people and contribute billions of dollars to Michigan's economy every year, and remain in the state through good times and bad; and

WHEREAS, There are cooperative businesses in nearly every sector of the U.S. economy: in agriculture, finance, child care, energy, housing, food, education, retail, and more; and

WHEREAS, Cooperatives in Michigan, and the Washtenaw County area are local, self-help businesses that combine free-enterprise with social benefits to the community; and

WHEREAS, Co-op members own, use, and run their businesses; and

WHEREAS, Cooperative businesses operate by a set of principles which provide a model of responsiveness to the consumer and the community that all businesses and governments can emulate, and include voluntary And open membership democratic member control, members' economic participation, autonomy and independence, education and training about the benefits and practices of cooperation, cooperation among cooperatives, concern for community; and

WHEREAS, The Ann Arbor community has been served by a large number, and wide variety of cooperative businesses for many years, including but not limited to, The Inter-Cooperative Council at the University of Michigan (student housing), University of Michigan Credit Union, Lake Trust Credit Union, Michigan Educational Credit Union, Dearborn Financial Credit Union, Stone School Cooperative Nursery, Dexter Nursery Co-op, First United Methodist Cooperative Nursery, People's Food Co-op in Ann Arbor, Ypsilanti Food Co-op, Farm Bureau (insurance), Midwest Organic Food Co-op, Forest Hills Cooperative Housing, Arrowwood Hills Cooperative Housing, Pinelake Village Cooperative, St. David's Co-op Apartments, REI, True Value Hardware Stores, Ace Hardware Stores, Sassafras Tech Collective, Potters Guild, University Townhouses, and The Hive Co-op; and

WHEREAS, True Value, Ace Hardware and other similar cooperatives allow small locally-owned businesses to compete with corporate entities such as Home Depot and Lowes by Buying and marketing collectively; and  
WHEREAS, October is Co-op Month, first so designated in 1948 by the Minnesota Association of Cooperatives, and celebrated by co-ops throughout the United States as a time to honor the service to their members and their communities provided by cooperative businesses; and  
NOW THEREFORE, I, Christopher Taylor, Mayor of Ann Arbor, Michigan, on behalf of the City Council and citizens of Ann Arbor, do hereby officially honor the cooperative businesses that serve the Ann Arbor community, and encourage city residents to explore the benefits available through cooperative businesses by proclaiming the month of October as "Co-op Month" in the City of Ann Arbor.  
President Tabron, the floor is yours.

>> Thank you, Mayor Chris Taylor and the rest of city council, for inviting me to speak at your meeting.

My name is Julian Tabron and I serve as the I.C.C. president.

I served since May of 2020.

I'm also a second year's master's student at the u of m school for environment and sustainability where I study geospatial science.

It's a pleasure to be invited here to accept the proclamation for co-op month.

Before we celebrate co-op month, we should define cooperation.

Cooperation is the act of two or more people voluntarily working toward a common end.

This is the essence of a free and democratic society.

Over 100 years ago, the national cooperative business association, NCBA was founded as a vessel to hold and promote the stuff of which cooperation is made.

They are called the seven principles of cooperation.

And mayor Chris Taylor just repeated some of them and I will be brief.

These principles include democratic control, education and training and a commitment to the community.

And even today, these concepts seem remarkably pressing, as we look at income disparity, environmental justice, immigration, race relations, education, and healthcare.

Co-op month has been celebrated annually in October across the United States for more than a half century.

It's a time for cooperative businesses to reflect on their shared principles and the values of belonging to a cooperative.

This October, the I.C.C. will join over 600 cooperatives across the United States in celebrating co-op month, observed nationally since 1964.

For those would do not know, each year cooperatives nationwide celebrate co-op month with a theme in mind.

This year's theme is build back for impact.

It was selected by NCBA to promote how co-ops and their members working together to build stronger, more inclusive, and resilient communities in the wake of COVID-19 -- in the wake of COVID-19 pandemic.

Under the theme build back for impact, this is an opportunity for -- to leverage our shared cooperative identity in the face of some of the biggest challenges we face.

A global pandemic, climate change, and systemic racism.

As we build back an economy that works for everyone, our biggest impact comes from embracing the values and the principles that make us truly unique.

The I.C.C. is committed to upholding these values and principles in pursuit of achieving our mission statement.

We believe that college students should have access to off-campus affordable housing so they can proceed to their higher educational goals.

We empower members to collectively make democratic decisions, to shape our future and prolong the longevity of our cooperative.

We are committed to the health and safety of our members.

Recently we passed a resolution to require all members to be fully vaccinated for COVID-19 as a precaution.

As a precautionary measure to protect our members from contracting and spreading the virus, in such a high-risk group housing environment.

In year's theme, we plan to connect more with local co-op businesses and other student housing co-ops in the Midwestern region.

I would just like to take a second to acknowledge some of these housing co-ops. Spartan housing cooperative in east Lansing, SHC, Kalamazoo collective housing, Bloomington collective living, Grand Rapids alliance of cooperation, I.C.C. Austin, Berkeley student cooperative and university of cooperative housing association, just to name a few.

I would also like to thank some of the same cooperative businesses that have been acknowledged before, like Ypsilanti food co-op, University of Michigan credit union, lake trust credit union, arrowwood hills, university townhouse, R.E.I. and many others.

I would like to thank everyone for giving me the floor to speak.

It's an honor to serve this community and promote the cooperative movement here in Ann Arbor.

Happy co-op month.

Thank you.

>> Mayor Taylor: Thank you for your time.

We now come to public comment reserve time.

Public comment reserve time is an opportunity for members of the public to speak to council and the community about matters of municipal interest to speak at public comment reserve time, one needs to sign up in advance by contacting our city clerk.

To speak at public comment reserve time, please enter the number on your screen, 877-853-5247.

877-853-5247.

Once you are connected, please enter meeting I.D.94212732148.

94212732148.

Once you are connected, please enter star nine, star nine to indicate that you

wish to speak.

Speakers have three minutes in which to speak, so please pay close attention to the time.

Our clerk will notify you when it's your turn to speak, when identifying last four digits of your telephone number.

Our clerk will let you know when there are 30 seconds remaining of your three minutes and when your time has expired.

When your time has expired, please conclude your remarks and cede the floor.

Our first speaker today is Erich Zechar.

>> Clerk Beaudry: Go ahead.

>> Thank you very much.

I'm a citizen of ward two.

I'm calling today about the east medical center bridge repair and expansion.

I wanted to say that my own family deals with this intersection quite a bit on foot and on bike.

It's near a lot of things that we go to.

It's near -- on the way to island park, fuller pool, the arb, hospital appointments and it's pretty much the most dangerous intersection we go through in the area.

When I saw it come to council, I was pretty happy to hear so many people on council speak up in favor of making sure that pedestrians were being protected in this intersection.

And so I was kind of surprised to see it come back unchanged tonight.

So I think that when you vote on this tonight, you should probably try to think about what this is trying to accomplish.

It's as written, it sures up a bridge in need of repair which is really good.

We need to take care of our infrastructure.

It widens the road in hopes of easing traffic flow which is okay until induced demand catches up, but it also makes a dangerous intersection even worse for many, many people who are already on foot or on bike and it discourages non-motorized traffic and so that last point, does that match up with any of our goals?

Does it match up with the university's long-term goals?

So we could approve it as written, or we could make some amendments which I hope you do tonight, and if amendments aren't possible, I hope you vote it down.

Budgets are moral documents, right?

So here we are asked to spend millions on a road widening project and what does that say to our values?

It runs counter to so many of our goals.

We have many other options.

We could rebuild the bridge without widening it and do ped infrastructure down the road.

We could widen the roads -- the bridge now, and address both issues by addressing the pedestrian needs at the same time.

And I know u of m is kicking in some funds for widening the roads but maybe they should be pay a portion of the pedestrian infrastructure fund improvements

too.

[ No audio ]

We do not just widen the road, just because we are repairing the bridge now.

>> Clerk Beaudry: 30 seconds.

>> It won't accomplish any of our goals long-term and you know that it won't be addressed right away when it's done because pedestrian safety is not going to be a priority for the u any time soon there.

Thank you for the time to address the council.

[ No audio ]

>> Clerk Beaudry: Time.

Mayor, are you ready for the next speaker?

>> I think the mayor may be frozen.

>> Clerk Beaudry: I can go ahead and call on the next speaker, if that's okay, Mr. Fournier.

>> Please do.

>> Clerk Beaudry: Our next speaker is Michelle Hughes.

Michelle Hughes, go ahead.

>> Hi, I'm also here to call about the east medical center drive bridge.

It's apparently in need of repair, and this is an opportunity to rethink what we need out of that road and out of the intersection by the hospital.

The city staff and the university have one answer.

Add an additional lane of traffic to accommodate drivers at the expense of pedestrian safety and consider -- and consider pedestrian and cyclist safety as a separate extra step.

I found the memo from staff very disappointing.

It shows that there are a lot of things wrong with our processes and that they have not been adjusted yet to be in line with our comprehensive vision zero transportation system, or our A.20 climate action plan.

In order for these plans to achieve their goals, we need to bake them into our practices.

Why is it that lanes of traffic can be added without any special consideration, but pedestrian safety must be part of a comprehensive redesign of the intersection?

It seems to me like the adding lanes of traffic changes the intersection just as surely as adding pedestrian amenities does.

Now in you look at the city's crash map, this is a dangerous place with lots of pedestrian crashes.

Now the city's stated goals, it states that it is this problem and not the car throughput that should be the first, most urgent consideration.

Neither the transportation plan nor the A20 plan state that car throughput should be more important than safety.

Furthermore, the staff memo does not address the concept of induced demand.

It's been fairly solidly established that adding traffic lanes does not reduce congestion but instead induces additional demand, causing congestion to remain exactly the same, no matter how many lanes are added.

The city's transportation staff should at least be aware of this theory and if they

don't think it applies here, they should why they think that this time, of all times adding a traffic lane is going to reduce congestion.

Instead the memo treats this as a neutral and concluded point of fact.

So please don't allow this project to be built with an additional lane and without considering non-motorized used such as the border-to-border trail connections or widening the pedestrian area as suggested by the Washington bike coalition.

With we make plans, promises and commitments to address climate change or safety, we need to translate those goals into action and we need to do it in real world actual projects like this one.

And while we are translating goals into actions, I would urge you to pass CA-1, the concrete implementation of the transportation plan.

Now every one of you on the council voted yes to adopt the transportation plan.

So now I'm expecting every one of you to vote to fund that plan CA-3.

And anyone listening there's an election going on November 2<sup>nd</sup>.

Please vote yes on all four proposals.

Thank you very much!

>> Mayor Taylor: Thank you.

My apologies for my dropping off.

We were out of power for a moment.

Our next speaker is Carrie Rheigans.

>> Clerk Beaudry: Carrie Rheigans, please go ahead.

>> Thank you for setting the setting for me to unmute.

This is Carrie Rheigans calling in from Ann Arbor.

I called in earlier this morning to ask if I could make a comment on resolution DC-3, which looks like it was removed from the agenda.

It was a resolution to mandate COVID-19 vaccines who I think were rest out of this.

I was thankful and relieved to see this resolution previously on the agenda because I was concerned by councilmember previously didn't support mandates and sponsoring the resolution to be originally drafted on this agenda, demonstrated he supports COVID-19 mandates.

And that's a really tough decision as a board of health member, the Washtenaw County Board of Health, we had to grapple with this, what should be mandated as far as COVID-19 protections but we do support the mask mandate and k-12 schools and our community, and I support mandating vaccines tore city staff and city councilmembers.

As city servants, we need to think about the whole public.

It calls to us to make sure that we are serving historically excluded community members.

I have been trained in the field of public health and we are trained to seek data to make decisions and when we show outcomes that impact historically excluded neighbors, it's our duty as public servants and public health professionals to find ways to intervene and improve those health outcomes and COVID-19 has demonstrated this.

I have been trained as a social worker.



I teach students.

One of the things we need to think about is the structures and the processes that we live with and where the power lies within these structures and policies.

As public servants, we do have power in the structures that have been set up, and it's our duty to ensure that we keep making directions and improvements in our structures to address social justice and equity.

I was pleased to see the city's endorsement of the county's declaration of racism as the public health crisis last July.

The board of health had declared racism as a public health crisis in June.

And so --

>> 30 seconds.

>> It is really important to notice these desperate impacts and I was really pleased to see the resolution mandating the vaccines for the city councilmembers.

As key leaders in our community, and people who have power to really demonstrate how to be leaders to ensure that we are serving and protecting our whole entire community.

Thank you again for originally sponsoring it and I'm sorry to see it not on the agenda necessarily more.

>> Mayor Taylor: Thank you.

There are communications today from council?

Councilmember Song?

>> Councilmember Song: Good evening.

I wanted to update folks.

We are seeing the end of the main street closures and if we needed to revisit it.

We decided to stick with the originally planned closure ending on the 31<sup>st</sup>.

I wanted to share some feedback from businesses.

They said that it helped them -- it helped provide a number of restaurants with over 40% of their weekly sales.

The closures are a great community space with pay number of people coming downtown and it really follows a survey of downtown folks of 694 folks downtown where the 8% responded yes, sir to wanting to see downtown block closures.

I'm hoping for another successful closure next spring.

A reminder that there's trick-or-treating and parade downtown on the 31<sup>st</sup>, from 11 a.m. to 3 p.m. and the legendary AADL costume contest also that weekend.

And then we have 41 refugees coming in the next three days.

I hope we can welcome folks as they try to find housing.

I will be volunteering and calling landlords in the county and in Wayne county, trying to help find places for folks.

So if anyone is interested in reaching out with me, let me know.

I think it's important that we demonstrate what we have.

A lot of us have signs in our yards saying we support refugees and immigrants and this would be a good time to show that support.

Thanks.

>> Mayor Taylor: Councilmember Disch and Ms. Beaudry, can you give me lower

hand authority.

Councilmember Disch.

>> Councilmember Disch: Yes, hi, everybody.

I wanted to let constituents know that Barton Drive between Pontiac Trail and Brede Place will be closed starting this weekend through Friday, November 12<sup>th</sup> there.

Will be sidewalk installation.

The bikes will have to share with cars.

So bikes, no running those cars off the road.

And on-street parking will be prohibited on both sides of the Barton Drive.

So constituents be aware of that.

You Doppler radar want to end one a -- you don't want to end one a tick.

Thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to thank our speakers tonight.

I was actually writing some notes and starting with Julian starting about the co-op spirit and other speakers talking about where the power is and the processes and structures and how do we improve our processes here in the city?

I will bring forward a resolution at the first meeting in November to address some of these serious deficiencies in our processes and it's most easily seen in our pedestrian infrastructure and our lack of compliance with vision zero.

We are really great at doing demonstration projects and we are great at communicating out about those demonstration projects.

But we're almost totally lacking when it comes to operational oversight.

And I believe that that is the result of council creates an unhealthy balance between new projects and operations.

And this creates an undue political influence on staff, our pedestrian crash rate.

We had prior crashes in September.

Multiplied that by 12.

It's 60.

I know there are some adjustments but September seems to be an average month.

That's unacceptably high.

Two of those were from vehicles making left-hand turns.

I also want to mention that the RRFB on Huron near Thayer is functioning.

It doesn't have the audio signal that MDOT needs to have approved, but the -- the signal is functioning.

And lastly, I would like to point out that I took extreme ridicule for opposing Traver sidewalk and dropoff zone.

And for the very same reasons I opposed it because it was dangerous to be so close to an intersection, one of our consultants for the lower town mobility study basically said the same thing that I did, raising concern about the Traver and Barton intersection.

Everyone has --

>> Mayor Taylor: Councilmember.

>> Councilmember Griswold: You have received a copy of the statements that

were made.

I won't repeat them, but I hope that council and staff --

>> Mayor Taylor: Councilmember.

>> Councilmember Griswold: Will join together.

>> Mayor Taylor: You are at 2:45 now.

>> Councilmember Griswold: Pardon me.

>> Mayor Taylor: Because of the nature of your communication, I let you go fairly long but one at 2:45 rather than two minutes at that point.

>> Councilmember Griswold: Excuse me.

I'm old.

I keep thinking of the three-minute limit.

But I will work on it.

>> Mayor Taylor: Thank you.

Councilmember Hayner.

>> Councilmember Hayner: I was going to comment on that barton closure.

Good luck, everybody!

We are already pretty much cut off with the city with concurrent construction on main and 14 and Plymouth and also the Broadway bridge being narrowed down inexplicably to one lane in each direction.

So it's added dozens of hours to my commute the last couple of months here.

Real quickly, speaking of, that we had some problems with our schools and the dropoff.

The skyline high school dropoff and pickup is crazy.

It's 10, 15 minutes to get around the building some mornings.

And if you try to go on the other way, you can't even make a left internally in that parking lot.

I don't know who is organizing the school pickup and dropoff routines, it needs a fresh look if only for the state of the air quality around our schools.

There are four ballot items on a special ballot this November.

And I have received dozens of calls and emails from folks who don't understand what they are voting on.

They don't know what they are voting on.

They find the ballot language to be vague, confusing, or referring to something they never heard of before, which is the choice in the rank choice voting.

It is a superfluous question, which we can't do anyway.

I'm disappointed that we are spending \$250,000 for four charter changes that people don't understand but that big money has come out behind some of these.

And, you know, it's a concern for me and changes to the charter -- I will say this publicly.

Changes in the charter should not be taken lightly.

Once something gets changed in the charter, it only gets revised through the act of the ballot box.

>> Mayor Taylor: Councilmember.

>> Councilmember Hayner: And so I think it's safe to say if you don't understand what you are voting for, and you want to vote on these or pass on these items.

>> Mayor Taylor: Councilmember?

>> Councilmember Hayner: Yes.

>> Mayor Taylor: You are at 2:29.

2:30.

>> Councilmember Hayner: What kind of clock are you using?

Mine doesn't say that.

Okay.

That's fine.

I think it's great how we have limited our speech.

Councilmember Briggs?

>> Councilmember Briggs: Thank you.

I appreciate -- I will be interested to see the resolution that councilwoman Griswold is thinking about in terms of improving our processes and look forward to working with you on that in terms of transportation liaison commission and I know you have mentioned sort of operational expertise a few times around the council table and I wanted to share for the public a little bit kind of what experience our engineering department brings to the city.

Transportation engineers have nearly 40 years of combined experience working in 14 different private sector that meet or exceed the industry norms all registered professional engineers one professional, one master's and Ph.D.s and I.T.S.

Michigan board of directors national center for automotive medicine, the technical advisory possession.

Our transportation planners have over 50 years of combined experience working in 11 different private sector employees and has education certifications that meet norms and two master's one institute of planners and have worked in eight different states and served in transportation leadership and research roles.

-- we all have critiques of transportation.

That was one the things we all have in common.

I wanted to take a moment to -- [ No audio ]

>> Councilmember Eyer: Thank you.

I wanted to follow up on some comments about the ballot proposals.

So in response to the suggestion one of my colleagues that people who don't understand the proposal should just not vote, I would say if you don't understand the proposals, please email me.

Jeyer --

[ No audio ]

That will also result in much better outcomes for Ann Arbor taxpayers when it comes to the money we spent on construction projects in our city.

So please vote -- or please reach out to me if you have any questions at all, I will be happy to spend the time to walk you through them.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Thank you.

And also looking forward to the election.

I think there are a lot of improvements and things that reflect our views and, you know, allows us to become more democratic on the ballot.

So just a couple of things to share.

I just -- no one had mentioned this today.

So I wanted to just give a big congratulations to our office of sustainability and innovation for the rollout of -- and the record for the proposed sustainability energy utility.

There will be a public meeting coming up for people who want more information about that on October 28<sup>th</sup> at 6 p.m. and you can register on our website.

There are also some invites going around social media if you subscribe to the city's messaging.

Also not coming up at this meeting, because the park advisory commission will be voting on it tomorrow, but I anticipate that Winchell park will -- the proposed renaming will be coming to council and based on the results from a community survey and from a group of citizens that was brought together to work on the renaming that that park will hopefully soon be named after Dr. Harold Dockett who was definitely far and away the -- you know, the vote -- you know, the primary vote getter from that survey and really just want to thank the neighbors. This was really a bottom up process in recognizing a concern that they had in their neighborhood, coming to their councilmembers and working with city staff and interested residents and volunteers to help make a significant improvement to that park and really reflect what we want really the best of that park.

So I look forward to that hopefully coming up sometime in November.

Thanks.

>> Councilmember Nelson: Since a couple of people have mentioned it, want to volunteer that on my website, in my latest newsletter, link to a fairly lengthy explanation of the ballot proposals which you don't have to trust anything that I have to say about them, but I do have quite a lot of links to the primary sources on legistar to read what came before us when we voted to put these questions on the ballot.

I would prefer the public understanding these items from primary sources rather than advocacy.

I want to comment on the fact that Eva white finished the second half their playground dedication.

It's pretty exciting.

It's in ward 5, but my kids went to ever white.

And I wanted to acknowledge the passing of Jean King who was a fairly major figure in the feminist movement and a resident of Ann Arbor.

She was an attorney who successfully sued for equity in school sports and had a national impact.

She died this week, and I hope our city has a way to acknowledge her and commemorate her in some way coming up.

Thanks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I wanted to welcome our new city administrator, Milton Dohoney to the organization.

I look forward to meeting him, I know we will soon get the opportunity to do that

and I look forward to that.

Also unfortunately I was out of town this weekend and congratulations to ever white in completing the playground.

I was this when the first half was completed and what a fantastic, beautiful playground that I can't wait to go see what it looks like now.

And lastly, on special -- I wouldn't call it a special election but the off year election with four ballot questions on there.

I'm concerned for the low voter turnout.

That is going to decide on the changes in the city charter.

I wish that if these questions would be placed to the voters, it would be placed with a much higher voter turnout.

If we were going to talk about democratic principles and progressive values, chose should -- those should be incorporated in the fact that you want high voter turnout and informed voters and quite frankly, I don't see that here.

Just like my colleagues, I'm getting emails.

People are concerned, confused and unconvinced of the proposals, especially prop a.

I made a public statement today.

I stand by that and I encourage anybody would wants my take -- who wants my take on it to reach out to me at [aramlawi@a2gov.org](mailto:aramlawi@a2gov.org), or stop in the restaurant and text me or call me and I will give you my take.

>> Mayor Taylor: Councilmember?

>> Councilmember Ramlawi: I believe you should probably get an unbiased opinion.

Thank you.

>> Mayor Taylor: Further communication from council, but I think everybody has spoken.

We now have the consent agenda.

May I have a motion to approve the consent agenda?

Moved by Councilmember Briggs, second by grand.

Discussion of the consent agenda?

Councilmember Griswold.

>> Councilmember Griswold: I would like to pull CA-3.

>> Mayor Taylor: Further discussion.

>> Councilmember Hayner: I would like to comment on CA-11, accepting this easement for Simson.

I'm excited about the sidewalks there.

That's all.

>> Mayor Taylor: Further discussion of the consent agenda?

All in favor of the consent agenda with the exception of CA-3.

I'm sorry, Councilmember Ramlawi.

>> Councilmember Ramlawi: I don't want to pull it but I want to say thanks to staff and I support it strongly, CA-10, the work that's going to be done in the work to preserve the historic natures and properties of the fourth ward and I think this is an important unknown, kind of goes by -- under the radar action that's being

taken by staff and -- and I -- I appreciate it and I'm pretty sure it will be unchallenged and unanimously supported.

Thank you.

>> Mayor Taylor: Further discussion of the consent agenda?

With the exception of CA-3, all in favor?

Opposed?

The consent agenda is accepted with the exception of CA-3 approved with 11 councilmembers present all voting in the affirmative, thus satisfying the eight vote requirement with respect to CA-1, CA-4, and CA-8 and CA-11.

CA-3, resolution to authorize a professional service agreement with Sam Schwartz Consultants LLC for moving together towards vision zero action plan and associated engineering services in the amount of \$362,739.30 moved by Griswold and seconded by Briggs.

Discussion of CA-3.

Councilmember Griswold.

>> Councilmember Griswold: Yes, I agree with what Councilmember Briggs said earlier.

The problem is not the staff we have.

The problem is that we do not have anyone who provides operational oversight. Frequently it's Kathy Griswold reporting on a2fixit that we have a problem and then staff addresses it.

That's not an optimal process in anyway.

So I believe that -- I won't be supporting this for a number of reasons.

Number one, we need operational focus.

We have some deadly crosswalks right now.

One crosswalk on barton goes across the street and dead ends in a bush.

It's been there for months.

We have other crosswalks with no lighting or inadequate lighting.

Those need to be addressed.

The money we would be spending could be better spent on improving our road surfaces and our crosswalk lighting and in addition, I would like to at least postpone this two weeks so that our new interim city administrator who brings decades of operational experience can take a look at this and weigh in.

So I think that we are sort of jumping the gun by approving this contract before he's had a chance to look at it.

And we have addressed our critical operational issues.

As I mentioned last time, a dear little friend of mine was hit by an electric vehicle, knocked out and her sister thought she was dead until her father picked her up and she started breathing again.

We have to address these operational issues now.

And demonstration projects are not going to address operational deficiencies.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks, Mr. Mayor.

I just had a couple of questions and I'm not sure who will answer them about

what's in the plan.

An example is -- it calls for heavy participation as part of the community engagement to have the vision zero implementation committee but then in the proposal itself, it -- it's no the vague but it doesn't say exactly how they will be put to go and who makes the final decision and who is on there.

That's one of the few places outside of the public input that is -- [ No audio ]

>> Councilmember Briggs: To be used in fiscal year '23.

Is that -- is that correct?

>> Yes, Raymond Hess transportation manager.

I believe that to be correct.

These were all included in the fiscal '22 budget, in amendments specifically 9 and 10, but, yes.

All of these funds are in the budget.

>> Councilmember Briggs: So if this vote did not receive -- did not get -- secure eight votes would staff be bringing this back and trying to spend all the funds, rush through this project and do it as quickly as possible or what would be the impact of voting this down tonight?

>> We would have to go back and regroup.

I don't know -- I don't have a very clear cut answer on that.

>> Councilmember Briggs: Because the funds for this are already budgeted, I guess is my question.

Yeah.

>> Correct.

I mean we have a couple of options.

One, we could look at doing this work with in-house forces but we do have some concerns about capacity and the ability to move that forward.

There is the possibility to rush it through the existing funding, through this fiscal year.

Some of these projects even included in the budget are heavier lifts.

For example, we talk about developing a new process for major street traffic calming.

We want to make sure that we reach out to the public and we know that the neighborhood traffic calming program took upwards to two years to update.

I'm not suggesting that that has how long the major street traffic calming program would take, but I'm a little hesitant to suggest that we could get it knocked over.

>> Councilmember Briggs: So voting it down could result in less public participation and something that is already included and adopted in our -- in our unanimous -- unanimously adopted plans.

Okay.

>> Councilmember Disch: I wanted to ask Mr. Hess, about equitable engagement.

Is there not provision for equitable engagement in this proposal?

>> Yes, Councilmember Disch, we are trying to improve with every engagement effort and make it as equitable as possible.

We are -- especially during COVID, it's a little more difficult and more challenging



in terms of what opportunities we can provide.

But we are trying to reach different populations.

Even in the development plan itself, when we saw we had an underrepresentation of certain populations we made an effort to try to capture responses from certain communities.

So we would take a similar approach from this.

If we find we are not hearing from certain segments of the population, we would reach out to those sections of the population and make sure that we are hearing from them.

>> Mayor Taylor: Councilmember Hayner?

>> Councilmember Hayner: I would like to comment that it suggests that if we had some funding lag or funding flow for some reason -- or funding slowness that the first thing we could would be public participation is very telling.

I think that that's the wrong way to look at our role here on council and our role when the developing public policy if there is a lag in funding that we would be restructuring the way the program moves forward to make sure that the public is not left behind.

I find that consideration just kind of disturbing when it comes to creating public policy.

>> Mayor Taylor: Councilmember ram.

>> Councilmember Ramlawi: Yes, this is on the postponement, correct?

>> Mayor Taylor: There's been no postponement moved.

>> Councilmember Ramlawi: Okay.

Well, I'm a little perplexed to the requirements to allow the funding to continue until fiscal year '23, whereas why doesn't that come off when we adopt our budget?

What is the concern that we have to claw so far ahead using some money that I have issues with the county mental health millage.

To apply to this for fiscal year '23, when we're still in the second quarter of '22.

Can someone explain to me why we are reaching so far ahead and making budget adjustments now versus just having it with our adopted budget?

>> Mayor Taylor: Is there a staff that can respond to that?

>> I will take a stab at it.

I think the -- my understanding of this is that this is included in the fiscal year '22 budget so we are not actually asking for fiscal '23 funding.

We are just asking to be able to carry this forward.

This has three components.

The first is to develop an implementation strategy.

That's the highest priority.

The plan was adopted, and council gave us some funding in the budget for implementation and we want to make sure that we follow through and follow through on that.

Then there's the communication piece and the outreach piece related to pedestrian safety.

We want that to be in unison with the things that are implementing.

And then the major street traffic calming, if you think about the major street traffic calming program, it affects a much larger community than the neighborhood traffic calming and we want to make sure that we are very deliberate and thoughtful about how we move that forward and hear from as many people that we need to hear from in terms of how to develop that program and make sure.

>> Councilmember Ramlawi: And what -- and what has the total cost been on this -- on this whole consultant package with vision zero?

What has been the total cost?

>> I'm sorry, councilmember, do you mean inclusive of the planning document development?

>> Councilmember Ramlawi: Yeah.

I just feel like -- I'm sorry, I just feel like there's -- now we are talking about traffic calming on major streets.

Was that part of the original scope and resolution.

Are we adding that into something that had begun without that?

That.

>> That was one of the budget amendments.

That was amendment 9, and it calls for the development of a traffic calming on major streets program.

>> Councilmember Ramlawi: And that is \$100,000?

I'm sorry, councilmember.

>> Councilmember Ramlawi: Yeah, I will come back again.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes, a couple of issues that I have that I haven't mentioned already.

We have an excellent staff but their area of weakness is in terms of operational expertise.

And feedback and if we continue to hire a consultant, we will not have the opportunity to develop the internal expertise.

We have been working with Sam Schwartz for a couple of years.

We spent by my estimation, about a half million dollars or more and so I would like to offer a postponement until the second week in November, asking that staff come back with a land that includes more operational oversight and a greater use of our excellence staff rather than consultants.

>> Mayor Taylor: Seconded by Ramlawi.

I have Disch, Hupy and Fournier in the queue.

I see Disch no.

>> Councilmember Disch: Not on the postponement.

>> Mayor Taylor: Hupy and Fournier, do you have anything to say on postponement?

Mr. Hupy, you are inaudible.

>> I was going to answer the question as to why eight votes, and it's eight votes because the funding is in the operational budget and the operational budget expires June 30.

So this would allow the project to go past that because the funding was done in

the o & m budget.

>> Mayor Taylor: Thank you.

Gracious plenty of staff hands.

This is a delightful change of pace.

Mr. Fournier still has his hand up.

Mr. Hupy, I will take care of your hand.

>> Clerk Beaudry: I just wanted to clarify what the postponement date was.

>> Mayor Taylor: I believe it was the second meeting in November.

>> Clerk Beaudry: Thank you.

>> Councilmember Griswold: Yes.

>> Mayor Taylor: I will suggest we all have a decent idea of how we will vote on this.

We have Councilmember Briggs and Disch and Councilmember Briggs on the postponement.

>> Councilmember Briggs: I wanted to follow-up on Councilmember Griswold's request that if this was postponed it was to bring it back with revisions around adding operational expertise somehow to this could -- could staff speak to that request a little built more and maybe elaborate in on -- speak to that and if that could be brought into this, what elements of our transportation plan that are being adopted and moved forward for us?

>> I will take a first run at this question and ask Mr. Hess and Hupy to weigh in as well.

We appreciate the comments about staff.

We do truly have an excellent transportation team here in the city.

You know, this contract is being brought to the council responsive to directions that were given to us by the council to create an actionable vision zero planned city.

And, you know, the transportation staff that we have do an excellent job operating our transportation systems on a day-to-day basis, but when we are tasked with putting together plans that represent a policy shift for the city, and that serve more intense public engagement, and that require us taking advantage of industry-leading experts to help us develop policy solutions for the council, we really do need some additionality and some extra capacity in the work that we are doing in order to make those big changes.

And that's the purpose of the services we are trying to acquire electric Sam Schwartz is -- from Sam Schwartz is to developing an actual actionable vision zero plan.

With respect no our members of council, I know you all have your ears to the rail in your council districts and you all provide us with very valuable feedback for the tasks that we undertake on a day-to-day basis in terms of making sure we are looking at it intersection or that intersection or addressing the safety issue, all of that feedback is valuable.

There's a difference between providing that type of feedback and delivering a transformational plan for how the city is orienting its resources from beginning to end.

And that's really what council has asked us to do.

That's what the purpose of this contract is.

And I think it's going to be difficult for us to be responsive to council's direction on the development of more actionable vision zero initiatives in the city, unless we are able to move forward with this contract.

And so I think Mr. Hess and Mr. Hupy, as they have laid out, we think that this is a pretty significant project, you know, once it is approved by council, it will -- you know, it always takes a little bit of time to get these large contracts up and running.

So we're shooting for, you know, another six weeks to get Sam Schwartz on the group and working and there's some skepticism that the work can be completed in the six months before the end of the fiscal year.

And so you know, it's possible that the work could start and we could propose finishing funding for it in next year's budget document.

That's not ideal, though.

Generally when you bring on a large contract like this, you need to be able to communicate to the contractor that you have authorization to pay the entirety of the contract.

And so that's why we have propose language that we have proposed in the resolution.

And Mr. Hess and Mr. Hupy, please do add to anything that I have said.

>> Mayor Taylor: I have Ramlawi and Hayner on the postponement.

>> Councilmember Ramlawi: Yeah, would this postponement would this have an impact on the staff and contractor and what is being currently done?

>> It would just delay our commencement, right?

It would delay from when we would start to work towards this and then depending upon if the if this is concern about carrying it over to the next fiscal year, but that's not a concern with the postponement and the ability to carry over to the next fiscal year remains intact, and then it's just -- we're pausing before we start the work is all.

>> I would agree.

>> Councilmember Ramlawi: That's all I have.

It doesn't seem like a postponement will have much of an impact but to address outlying concerns.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Because this is a work plan and this is what it costs for this work plan before us, postponement doesn't really afford us an opportunity to say, well, I wish it had this or I wish I had that and I see these things are missing and these are things that we talked about in the past around vision zero. There's no -- a postponement would not provide an opportunity for those to be added or negotiated is that accurate?

>> My understanding is that the procurement process is such that we put a proposal out for consultants to bid on it.

We had three very competitive proposals that we evaluated.

If there's significant material changes to the scope or the proposal that we have a

bid on, that may require us to go back out to bid -- it's not bid, but out to RFP, request for proposals.

So I think it would depend on the nature of the change and what is truly being requested as part of --

>> Councilmember Hayner: I could give an example.

This is exacting towards, you know, these ultimate -- [ To audio ]

Like as an example that directly affects us.

We could request the state or the federal actors to take that would make improvements broadly that would allow us to implement these programs or improve vision zero.

They also have very stringent federal laws about automobile design is one example.

I didn't see any legislative notions flowing out of this.

Do you think we can have our stakeholder opportunity to say, hey, while you are at it, would you mind?

Do you have any substitutions?

Do you think those opportunities will be afforded for policy questions as part of this process?

>> Councilmember Hayner, I believe that's in the realm of possible.

Some of those changes and policy changes that you have suggested are already contained in the plan, and we can bring them to the forefront for discussion as, you know, strategies to advance.

You know, I think really just to kind of maybe boil this down, really what we are trying to do is take a very ambitious and robust plan that council adopted in June and help us to digest in bite-sized chunks and move this project forward.

We really want and Mr. Fournier touched on this.

We really want to make kind of -- [ No audio ]

The intersections that need the most improvement that -- the intersections that need the most improvement and improve the safety the most.

That's boiling it down into the actionable items is what the intent of the plan is and if it includes the policy changes that you are suggesting, sure that should be in the realm of consideration.

>> Councilmember Hayner: The same is for integration of plans like the lower town is coming to a conclusion and unless I missed it, I don't see any consideration for integrating plans that we have already spent hundreds of thousands of dollars on, or is that just assumed that all of this will be brought under the umbrella?

The transportation plan does have corridors in the lower town area as issue areas and then what we can do we can refer to the lower town study and the recommendations out.

And there's definitely some compatibility and synergy between these efforts and we are definitely trying to do these in isolation and we look to the best available data that's available to us and we will have a benefit of having a brand new study that we can turn to.

>> Councilmember Griswold: Yes, I have talked to the staff, and I attended a

vision zero in New York.

Most people working on vision zero are starting with a normal baseline.

Ann Arbor is so deficient in its crosswalks -- and these are things that Sam Schwartz is not going to come in and tell you, because they are obvious.

Like, you need to have lighting at your crosswalks.

You need to have sight distance.

We have overgrown vegetation, 6 feet tall at some of our school crosswalks.

Sam Schwartz doesn't work on things like that because normal communities have already taken care of them.

Also, things like a five-lane crosswalk with no with RRFB, and no pedestrian island, that's so far out of the realm of normal that Sam Schwartz is not going to talk about it.

So I just want to say that we have some major deficiencies that we need to take care of, and I know that our transportation experts want to take care of them, are concerned about it, but this council keeps approving policies where we just go from one demonstration project and one new initiative to the next and we can't get caught up with the basic infrastructure that is critically needed so that we don't continue to have children needlessly dying our crosswalks.

>> Mayor Taylor: Further discussion of the postponement.

Councilmember Briggs?

>> Councilmember Briggs: I guess I would like to counter a little bit of what you says councilwoman Griswold.

They talk about improving the crosswalks and a lot of improvements.

There's bullet points around streetlighting and a whole section around how to improve dangerous behaviors and I think what I would hope to see is continued emphasis on action items and how we can move this forward.

We can't do our entire community all at once and so we have to figure out what the highest impact opportunities are.

>> Mayor Taylor: Further discussion of postponement.

Roll call vote, starting with Councilmember Briggs.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: No.

[ No audio ]

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Councilmember Nelson: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the main motion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: I have another question on the quick builds.

You identify three with the funding here.

Could you briefly explain to us what those would be?

>> So, you know, we haven't identified the location or what the actual quick

builds will be.

It does not necessarily mean it's a pilot.

It is a permanent installation.

I think the idea behind the quick build is that you use materials that are readily available without renovation of an --

>> Councilmember Ramlawi: I'm sorry, but our time is limited.

I apologize.

Would those be permanent or temporary.

>> They would be permanent installations, but they may use material such as what we call paint and post and then there's an opportunity to make them more permanent with things such as concrete or whatever the case may be in the future.

But they are not necessarily meant to be taken down.

They are meant to Sam Schwartz dress the safety concern and the intersection along the roadway.

>> Councilmember Ramlawi: I think I understand where the body is trending on this.

I will reserve everyone's time.

Thanks.

>> Mayor Taylor: Further discussion of the main motion?

For my part, I very much hope that this, indeed, moves forward.

We have approved the underlying plan unanimously.

It is incredibly important that we work towards implementation as we have heard from staff this is a necessary condition for the efficient -- for the efficient deployment of -- of, you know, resources to get this done in a way that both meets our tactical -- both meets our need to have the improvements made, and our need to, you know, plan for them thoughtfully.

I think this is something that we should do and I hope that it moves forward.

Councilmember Griswold, I believe you have spoken twice on the main motion.

>> Councilmember Griswold: Okay.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with Councilmember Briggs.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: No.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: We now come to a set of public hearings.

Public hearings are opportunities for members of the public to speak the county and the community about a specific item on the agenda the specific subject matter of the public hearing.

To speak at a public hearing, you need not have signed up in advance but your speech must relate to the specific subject matter of the public hearing, that is to say the specific item on the agenda.

To speak at a public hearing, enter the number on your screen, 877-853-5247. 877-853-5247.

Once you are connected, please enter meeting I.D., 94212732148.

94212732148.

Once you are connected further and we are in the public hearing that you wish to speak in, please enter star nine.

Star nine to indicate that you wish to speak.

When it is your turn to speak, our clerk will identify you by the last three digits of your telephone number.

You will have three minutes in which to speak.

So please pay close attention to the time.

Our clerk will notify you when 30 seconds is remaining.

When your time has expired, please conclude your remarks and cede the floor.

Public hearing number one, An Ordinance to Amend Section 5.15.2 of Chapter 55 (Unified Development Code) of Title V of Code of The City of Ann Arbor.(Remove Warehousing and Indoor Storage in C2B Districts).

Is there anyone who would like to speak at this public hearing?

>> Clerk Beaudry: Mayor, I don't see any hands raised for this hearing.

>> Mayor Taylor: Seeing no one, this public hearing is closed.

Public hearing number two, An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) To Title VIII of the Code of the City of Ann Arbor.

Is there anyone who would like to speak at this public hearing?

>> Clerk Beaudry: Mayor, I don't see any hands up for this hearing.

>> Mayor Taylor: Seeing no one this public hearing is closed.

Public hearing --

[ No audio ]

>> Councilmember Hayner: The actual site plan has not been attached to any of this.

We have maps from the staff report.

We have the development agreement and we have the planning commission minutes but the actual site plan didn't exist in any of the attachments.

I don't know what effect it has on this public hearing and the ability to speak to this matter.

There's no lot maps.

No building plans.

No anything.

No utility easements, just verbal descriptions.

>> Mayor Taylor: Thank you for that.

So a question has been raised about the adequacy of notice.



Does staff have a --

>> Councilmember Hayner: It's good for me.

I can go down to city hall.

>> We don't have a response just yet but we will definitely look into it and provide feedback, back to the council.

>> Mayor Taylor: Perhaps with -- is there a time frame on that Mr. Fournier?

>> Clerk Beaudry: I moved over Mr. Lenart.

I moved over Mr. Lenart.

I don't know if he has an answer.

>> Mr. Lenart?

>> Good evening, mayor and council.

Brett Lenart, planning manager.

You will find the full site plan as a link to the staff report.

In the past, staff had attached pages of the site plan but in favor of providing city council and planning commission and the public a full document, you will find the full site plan that you will be taking action on as a link in the attached staff report.

>> Mayor Taylor: Thank you.

>> Councilmember Hayner: Are you talking about along with the neighborhood minute meetings and so forth?

>> Yes.

>> Mayor Taylor: Thank you.

Unless -- I guess during the intervening time, I will ask staff to reflect upon that -- I know we are here and these hearings do have legal requirements if we have met the legal requirements, I guess please let us know.

If we haven't please let us know.

We will wait to see what happens at c -- wherever this shows up --

>> Councilmember Hayner: Db-1.

>> Mayor Taylor: Public hearing number three, Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road.

Is there anyone who would like to speak at this public hearing?

>> Clerk Beaudry: Anne Bannister do you have a comment?

>> Yes, this is Anne Bannister coming and I would like to talk about Concordia Pines which is ironically being named for what will be destroyed.

This is the wrong development for this property.

I would like to ask input from Dr. Missy Stults and our office of sustainability about how we can push back on the profit-driven development projects.

Perhaps a temporary moratorium is needed until we get our comprehensive land use plan and master plan updated in a way that reflects the reality of the A2Zero carbon neutrality 2030 plan and the transportation plan.

We have before us another development that would decimate another wooded area.

311 of 447 landmark trees will be removed.

450 of 741 low-level woodland trees will also be removed and the wildlife habitat.

Toll brothers will replace 1788 trees with new replacement trees which are not

equivalent to the remaining trees.

So the whereas clause that says that this development will not cause public or private nuisance and will not have a detrimental effect on public health safety and welfare, is opposite of the A2Zero plan.

It will indeed have a detrimental effect on public health, safety, and welfare by not being carbon neutral by 2030, by not providing pedestrian access, by not using construction methods and materials that are carbon neutral, and on top of all of these concerns, it's not multifamily housing.

It's not affordable.

And it's not designed to limit car use.

Put simply, this is not the kind of housing our community needs more of.

Again, I would like to request input from Dr. Missy Stults on how we can push back on these profit-driven projects and bring them in alignment with our A2Zero carbon neutrality plan, and our vision zero transportation plan.

I'm suggesting a temporary moratorium --

>> Clerk Beaudry: 30 seconds.

>> A temporary moratorium until we can get our comprehensive land use plan updated to reflect our A2Zero carbon neutrality and our vision zero plans updated and included.

Thank you.

>> Clerk Beaudry: Mayor, crosswalk see any other -- I don't see any other callers with their hands up.

Oh.

Caller with the phone number ending in 411, do you have a comment?

Caller 411, go ahead.

Caller with the phone number ending in 411, you can go ahead and speak.

Caller 411?

Caller with the phone number ending in 411, do you have a comment?

Caller with the phone number ending in 453, do you have a comment?

Press star six to unmute yourself.

Caller with the phone number ending in 534, do you have a comment?

Caller 534, go ahead.

>> Hello, can you hear me?

>> Mayor Taylor: Yes, we can.

>>> Thank you, this is Tom Stulberg and I'm calling from lower town in Ann Arbor.

I would like to comment on the Concordia subdivision application.

30 years ago, I was doing residential development in west Bloomfield, Michigan, where they had a pretty strict woodlands ordinance.

We were able to not only comply with that ordinance, but we won awards for working with the community's woodlands ordinance, and preserve a lot of the woodlands on the residential development site.

Similar type of development, similar price range to this development.

We can do better.

Toll Brothers can do better.

The city of Ann Arbor can do better.

When we if we really mean what we say when we pass things like A2Zero and if we really mean what we say when we pass carbon neutrality.

If we really mean what we say when we are a tree town when Ann Arbor represents itself, if we really mean this, we will do better.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 411, do you have a comment?

Press star six to unmute your phone.

Caller 411, go ahead.

Mayor, the caller hung up and I don't see any other callers with their hands up.

>> Mayor Taylor: Is there anyone else who would like to speak at this public hearing?

Seeing no one, this public hearing is closed.

A-1, Special Work Session of September 21, Special Session of September 27 and Regular Session Meeting Minutes of October 4, all 2021.

May I have a motion to approve these minutes, moved by Councilmember Griswold and seconded by Councilmember Disch.

Discussion?

All in favor?

Opposed?

The minutes are approved.

B-1, An Ordinance to Amend Section 5.15.2 of Chapter 55 (Unified Development Code) of Title V of Code of The City of Ann Arbor.

Councilmember Hayner.

>> Councilmember Hayner: It was my understanding with the phone conversation with Mr. McDonald that they are indeed busy and there have been concerns expressed that have come before us in the last most recent public hearing.

I want to encourage them to keep up the good work and take a look at these kind of ordinance revisions that, you no he, clearly are sorely needed -- you know, clearly are sorely needed to holistically address the stated needs that we have now and will have in the future.

So thank you for this.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I'm sorry.

Did I unmute, but it didn't seem to work.

I wanted to say that this is a really little tweak, really to make to our zoning code in that in these commercial districts, we are trying to encourage -- [ No audio ] And warehousing is not a particularly interesting to walk past, nor does it include excusing using your car.

You can't go to a warehouse, unless you have a little red wagon.

This pushes our neighborhoods to move in the direction we want them to move.

That's why it's here.

Unless there are questions, that's that.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I want odd to thank the O.R.C. and the planning commission for bringing it forward.

And it came out of a fifth pardon project that facilitated thinking about this.

I think this is a good tweak and I didn't want to think cargo bikes in addition to red wagons.

[ Chuckles ]

>> Mayor Taylor: Further discussion of B-1?

All in favor?

Opposed?

B-1 is approved.

B-2, An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor.

Moved by Councilmember Briggs and seconded by Councilmember Disch.

Discussion of b-1.

>> Councilmember Ramlawi: In working with others, I do believe this is a step in the right direction.

Although I think there needs to be a little bit more discussions with folks that are going to be affected with this and I move to postpone this to our first meeting in November for those other concerns to be discussed and better level of buy live in throughout the community in participation when it comes to this particular ordinance.

So I -- I ask that you postpone this to the first meeting in November.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Hayner.

Discussion of the postponement?

Councilmember Hayner.

>> Councilmember Hayner: I seconded that because there must be a reason for the request and I'm guessing the reason is that business owners and property owners have reached out to us.

I though it's happened to -- I know it's happened to me to try to understand better what these mandates are going to be and what is it going to take?

I forwarded to everyone on council some -- with the acquiescence of Dr. Stults, the responses to the personal questions -- or questions I personally had for her, which I didn't then copy over to our council comments or council questions, unfortunately.

I appreciate her answer on that.

It didn't answer fully the questions I had.

So I can certainly understand the request to postpone this for a short time to get more answered.

I will support the motion to postpone.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: Thank you.

I think if there was a lot of outcry and opposition in the community, we would

have heard it this evening.

At my count, we had zero folks.

And we know when we do things that -- where there are questions and concerns we tend to hear from people.

So not having heard it, not having received a single email in opposition to this, and some very solid advice, I'm not in favor of postponing this.

I think this is an important initiative from our office of sustainability and innovation and I want to support their work going forward.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: Thanks.

I know on energy commission, we certainly had some questions about how stakeholders were going to be engaged in this process and I wonder if you might be able to speak about how they were engaged in the process, and you know, yeah, how they have been engaged?

>> I will turn this over to Ms. Yegler.

It has not stopped.

>> Yes, our engagement started roughly a year ago now.

We put together a stakeholder task force of building owners and property managers and Ann Arbor service providers.

And Ann Arbor 2030 district and then some internal city staff, including affordable housing representatives and the building department, and N.I.T.

That task force met over a few months and we co-designed policy recommendations.

We used them to put together a draft ordinance.

We hosted a public open house back in February.

That open house we pushed out through all of the city news and our networks and the networks of our partners.

We had a public survey opened for a month following that open house and we incorporated that back into the draft ordinance.

We met with the energy commission to share on those findings and summarized our final ordinance back to the task force one final time and as Dr. Stults had mentioned, we still continue to engage with folks as they reached out with questions and feedback.

>> And one additional point of clarification, we also had a formal road show, with the main street and others to talk about the task force and the work and the ordinances moving forward.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: It's unfortunate that what I game that I have been reached out by constituents and others in the community, it's quickly dismissed if others aren't -- if one colleague is on that email.

I will say that we have been contacted.

The mayor has contacted as well.

The mayor is not on the email list of communications that I was on as well.

We have property owners who own well north of 1 million square feet in this city on this email list.

Who I think would be important to have their buy-in on this initiative.

This initiative is not going to be audited.

These numbers will not be audited.

You will have people who have to, in good faith, give you this information.

So it only makes sense to me is to have buy-in by all members of our community because of information that's going to be reported will not be audited.

So you probably should get the buy-in and the trust of those who are greatly affected so the information that you are getting is actually good information.

This ordinance does not take into effect until 2023 and it gradually gets phased in as the buildings get smaller.

All I'm asking for is three weeks.

And I will ask Dr. Stults to collaborate and corroborate my alibi here that there is concern and whether she has been involved in those conversations with those folks who are the first to be affected with this ordinance and those are the folks who own the biggest buildings.

>> Councilmember Ramlawi, you are right, we had conversations and dialogue with individuals in the community.

We met today and had a really productive meeting.

I don't think any of that feedback actually changes the ordinance, based on -- it's much more implementation and you are right.

Secondly, I wanted to flag that we do have quality review and the right to audit in the ordinance itself.

It's just not required that everyone would do that, but it is built in, and we can do quality control of information that is coming in.

>> Mayor Taylor: Further discussion of the postponement.

Roll call vote, please on the postponement, starting with Councilmember Briggs.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: No.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Councilmember Nelson: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the main motion.

Councilmember Ramlawi.

>> Councilmember Ramlawi: I would just like to share my disappointment in this body once again.

The lack of working together, the lack of extending courtesy to others outside this table.

It doesn't do us good.

And it's not going to be good.

When we don't have the complete or near complete buy-in with the policy changes.

I simply asked for a courtesy of three weeks so that the concerns that folks have on this are alleviated so that participation and the unity in the community can grow on issues.

But, again to no avail, unfortunately.

There isn't any of that.

It's our way or the highway regardless of what you say.

I don't understand why three-week postponement in an ordinance that doesn't take effect for nine months is based on volunteer information, is a big ask.

But the no vote on that postponement is a -- is definitely going to be heard by many parts the community who are growing frustrated with this city government.

>> Mayor Taylor: Councilmember Hayner?

>> Councilmember Hayner: Thanks, Mr. Mayor.

I think we know that unity isn't -- doesn't make for easy politics and that's where we don't seek it.

Concerns that I had over this ordinance spoke to the reporting requirements.

And I talked to Dr. Stults about this and my considerations and concerns are that first we have two things here.

And we talk about water, the city is the water utility.

We know what everybody's water bill is.

We don't need them to tell us.

I don't understand why that's a requirement that faces a civil infraction when we already have that billing information.

D.T.E. is a utility and we are considering in the next eight years making great efforts to have our own public utility.

Again, where we will know what a building's reporting requirements are and what their energy use is.

And we don't know that now, but surely D.T.E. does, and I didn't fully understand the explanation I was given for why we can't just ask D.T.E. and put the onus on the business owners.

>> Is it okay to respond or would you like not?

>> Councilmember Hayner: It will run out my clock but that's okay.

>> I will try to go very fast.

>> Councilmember Hayner: Those were my two big concerns.

I don't know why we need to require property owners under penalty of law when part of it or fully it exists with the city.

>> So the question we may have the data but consumers don't have the data and so part of that is the consumer protection so the marketplace could know.

You have to give permission, D.T.E. can't give us all of that usage.

You have to give them permission to give us that information.

And I think that can be said more eloquently.

>> Councilmember Hayner: Will that allow property owners to waive that and have the city and D.T.E. directly report to you?

>> There's a disclosure form that people will sign and we are working with D.T.E. to have this data automatically upload.

We are testing it right now with you will after our own city buildings to try to make this as easy as possible.

>> Councilmember Hayner: And aqua hawk would the paired reporting message for the water side?

>> Yes, another layer to this too is that a lot of these buildings are occupied by tenants but it means that building owners don't always have an inherent right to that information.

One way that we can make it easier for them to answer that is aggregated whole building data.

And working with utility to aggregate whole building data, which protects consumer information.

And having them actively see what their energy and water performance is, and then sharing that with the city.

So that's another element of why building owners don't just automatically have access necessarily to their tenants' water and energy consumption data.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks.

I -- I will speak for myself in terms of why I didn't vote for the postponement.

I appreciate your desire to get as much buy-in in the community as you can.

My personal perspective, is that the office of sustainability has been working hard to do engagement and try to do strong outreach on this and because of the timeline for implementation, there is still lots of time to answer questions and -- and alleviate concerns moving forward and there's a strong desire on the part of staff to continue this and not to -- not to stop as we have heard from kind of in their staff report.

That was my reasoning not a desire to not work with my colleagues.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: A question for staff.

Will water usage be tied to a building and are there any -- if so, are there any plans in the future to have the number of occupants in a building taken into consideration?

>> Can you just -- can you clarify that first will water be tied to a building?

Will water be included in this ordinance?

>> Councilmember Griswold: Will our measurements be sophisticated enough to know that there are eight people in a given residential unit, versus two people in a residential unit because --

>> Yeah.

>> Councilmember Griswold: Okay.

>> So the EPA has determined what buildings are efficient.

One of them tends to be how many occupants under a building and so it takes into account that and many other things.

If anyone is interested, I can share a spreadsheet of what characteristics it looks for and what buildings, but occupancy levels is included.



>> Councilmember Griswold: So for single family homes we will know occupant pants.

Our water rates don't take the number of occupants into consideration.

>> Great question this ordinance is not for single family homes.

This is multi family and commercial sites.

>> Councilmember Griswold: Oh.

>> Oh, we are working on the other side of that, but we are not ready to bring that to up council.

More on that shortly.

>> Councilmember Griswold: I look forward to it.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi?

>> Councilmember Ramlawi: There's just a lot of questionable things in this ordinance, and the rush to passage don't allow it to be worked on and I will be told that we can work on those things later, but as we know there are so many things coming at us, that we don't work on them after they get filed and we move on to the next.

I do have concerns regarding the fees and the fines associated with this.

The first fine is \$500, the second offense is 1,000.

And then it's a -- it's \$1,000 a day!

Okay?

\$1,000 a day for noncompliance.

We have the same fees being associated to a building that's less than 20,000 square feet as we do to a building that's greater than 100,000 square feet.

The fines are the same.

What is equitable about that?

We talk about equity.

We take it will be baked into every resolution that comes forward.

I don't see it there.

I don't see how me a small guy that can barely staff -- I can't find a busboy right now to comply with this -- to comply with all of this and if I don't, face is thousand dollars a day in fines.

I find this stuff troubling.

I find what is going on in current city government very troubling.

We will be compelled to vote for this because in its principle, the genesis, yes, but when you look at the details, it's messed up.

Because we're not --

>> Mayor Taylor: Councilmember Ramlawi.

Councilmember Hayner.

>> Councilmember Hayner: I would like no know how the fines which I think -- I would like to know how the fines which I think are onerous.

Is it very important that we will have \$1,000 a fine, that's pretty outrageous.

It says in the prelude to this that buildings in Ann Arbor constitute 65% of the total community greenhouse gas emissions.

I think that's probably accurate and I think we have teen that in other places.

I'm looking forward to the notion that -- and that probably includes single family houses and buildings generally.

I think that's a blanket statement.

>> Yes, it does.

>> Councilmember Hayner: That's across all housing types.

So I'm looking forward to see the per capita water use even in the multifamily residential and commercial buildings getting a sense of the per capita water use is.

I think that would be telling.

Is there anything in here -- this is a question for the public.

Is there anything in here that will work towards compelling discreet metering on apartment units, older houses, you know, rental houses that have a single meter?

Will we try to encourage D.T.E. or the city to do unique metering so that each unit knows what their energy use is, versus generally houses use this much energy and, you know, it's submit into three apartments or whatever and each department doesn't know.

I know D.T.E. does that in some properties and I have seen the gas meters being replaced.

I can't remember the exact field language for what it is.

But does this cover that notion at all, or is that something that's going on outside of this benchmarking?

>> Yes, taking that -- it would be outside of this benchmarking ordinance, but I do want to give attorney Wilhelm a chance to answer that question.

>> As to the fines, these -- there was discussion amongst staff about the appropriate level of these fines to essentially create some incentive to -- and penalty for not complying.

In addition, the language is that the fine would be up to these limits, and would be essentially set by a judge after the civil infraction is established.

So we would go through a court process and the court would then set the fine.

We found -- we felt that essentially progressive enforcement would be effective if you have a recalcitrant reporter that you escalate the fine and create the higher fine for continued violation.

We hope that we will not have to bring people into the court for civil infractions on this and that we will work with -- on an educational basis to bring them into compliance.

Our goal here is always compliance.

It is not to generate civil infraction fines or to punish people for not complying.

>> Councilmember Hayner: Is there any expectation of privacy with energy or water use?

>> Yes.

>> Councilmember Hayner: And yet we are compelling it by force of law?

We are compelling an owner to reveal that by force of law?

If this passes.

>> I mean, attorney braider, is there anything you wanted to add?

>> So the ordinance does have certain protections for tenants where, again, you know, there would be aggregate building data so that landlords wouldn't know the individual performance or usage of their tenants because of that aggregation. In terms of the privacy, if there is an individual would is not leasing their property, or is essentially occupying their own so that the ownership of the business or tenancy is the same as the owner of the building, they are exempt from this. So this is really for those who are trying to rent their properties and helping folks who are comparing, okay, the utilities are included in this place but not in that one.

Or okay, I will have to pay my utilities in both of those buildings in the space I want to rent, which would be higher.

That's the kind of thing this ordinance is dresses.

So if we're not going into cases where someone owns the building they are in, and there's no commercial reason for them to disclose it, this is a -- a disclosure that goes to the commercial marketplace.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: Thank you.

I want to take a moment and recognize the really extraordinary work that staff has done to reach out to different stakeholders.

You know, what I personally find troubling is not when I don't get my way, because, you know, I'm a grownup.

But it's when we have staff that -- that explain in fairly plain language really, you know, commendable work.

They tell us that the conversations are ongoing, that they are open to those conversations and they anticipate them and they are trying to do -- you know, do progressive work that helps to protect consumers and provides them with more information.

And really helps -- helps lead -- helps provide, you know, work that other communities can replicate.

That to me should be appreciated.

It doesn't mean that we don't have a role to ask questions and we see that we have one, two, three, four, staff members here with us tonight to do so and I think they have done so leading up to this meeting as well.

I had a conversation with Dr. Stults about this work, as well as the work that we hope to come forward with single family homes as well.

I would like to show our appreciation and I wanted to take a moment to do so.

Thanks.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: Yes, I think this may really have already been covered but I did want to mention that it was fairly clear in the briefing that we received -- unless I misunderstood something.

And this was in last week's materials and last week's briefing that enforcement never begins with a fine.

It begins with trying to identify the obstacles that are making compliance difficult.

I'm paraphrasing the language.

So I think we're making a sort of account of what the fines are, but the city's approach is typically not to fine people on these issues.

And it was pretty clear from the memo.

So I wanted to make sure that that was out there and clear and I believe staff made mention of that as well.

So --

>> Mayor Taylor: Further discussion?

I would like to say there are a lot of excellent things going on at city hall, and throughout the community and this is an example of it.

You know, we have a number of goals that we are hitting with this -- with this ordinance.

We are, of course, you know, providing a measure of consumer protection.

We are doing our part to educate consumers about the nature of the energy use in the building that they are looking to participate in.

We're also -- and incredibly important measure, moving forward with the A2Zeros with providing people with information.

So much, you know, energy usage and, you know, people's carbon footprint is opaque.

We have a difficult time understanding it.

Even if we wanted to move this board.

This is an opportunity to help provide that data.

It's an opportunity to provide data in an incredibly important component of our A2Zero program and that's our existing buildings.

It will give building owners to understand how they can make their buildings better and how they can use energy as a positive to promote their offerings.

So I want to give a tremendous amount of thanks to Dr. Stults and O.S.I. and everyone else who helped to move this along.

This is the end of a very long process that as utilized a great deal of engagement at all levels of the community, great deal of listening and a great deal of responding and a great deal of responsiveness.

And it's incredibly important that we note that and we are proud of it.

I know I am.

Further discussion.

Councilmember Hayner you have spoken twice on this measure.

>> Councilmember Hayner: I think I there's a foul in table 1-1 -- I think there's a flaw in table 1-1.

I don't understand it.

Hopefully to be corrected typo if this passes.

>> Mayor Taylor: What is the nature of the flaw.

>> Councilmember Hayner: It stretches out the reporting date for four years.

It doesn't matter.

This is a live document, right, that is what we are told.

Even though we are making this law, it's subject to improvement.

>> Would tobacco acceptable to jump in and try to clarify.

>> Mayor Taylor: Dr. Stults.

>> Yes, just to clarify, we are doing city buildings now and the report is city buildings over 10,000 square feet must report and that would go in effect. And then we move into large properties over 100,000 square feet next year down to everything up to 50,000 square feet and then ending with everything over 20,000 square feet.

That's a phased approach with city properties leading.

>> Councilmember Hayner: And then it -- that's the initial year and then it's yearly after that?

>> Correct.

That's right.

>> Councilmember Hayner: Okay.

>> Mayor Taylor: Roll call vote, starting with Councilmember Briggs.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: C-1, An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.24 Acres from TWP (Township District) to R2A (Two-Family District), Issa Property, 201 Scio Church.

Moved by.

Councilmember Disch.

Seconded by eyer.

Discussion of c-1?

Councilmember Disch?

>> Councilmember Disch: Just a couple of quick comments from planning.

So this property has been annexed to the city.

The rezoning is consistent with the surrounding land uses.

They would like to pursue duplexes, consistent with the adjacent properties and consistent with the master plan.

So by approving this, we will be facilitating that.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It is approved.

C-2, An Ordinance to Add Chapter 74 to Title VI of the Code of the City of Ann Arbor Which Shall Be Entitled "General Health" and to Add Sections 6:650 - 6:653.

Sanitation supplies and public restrooms.

Moved and seconds.

>> Mayor Taylor: I would like to start this off please.

If you have a public restroom, there will be people who use the toilet and so this should be toilet paper available for all.

If you are a -- if you have a public restroom, there will be people who will wash their hands and so there should be soap and paper towels which would be available for all.

And if you have a public restroom, there will be people who menstruate and there should be tampon pads.

It's long past time that we as a society acknowledge and respond to that reality.

We meet these needs already with toilet paper typically and soap and towels but we have not met this need with respect to menstrual products.

It would be good if inclusion in restrooms of tampons and pads were commonplace and already a social expectation but it is not and so this ordinance is a necessity and a long time coming.

It would have been a lot longer if it hadn't been for a high school student who came to me during office hours to express her concern, her concern that less privileged Ann Arborites have difficulty obtaining menstrual products.

She spoke to me about the difficulties.

After some recent advances with respect to menstrual product availability in Illinois, New York, California and Scotland, I asked staff to look into whether we can obligate the public restrooms in Ann Arbor supply products that are basic and fundamental.

It turns out that we can, and I am confident that we will.

During the course of the consideration, I have contacted the University of Michigan, Ann Arbor public schools, the Ann Arbor district library, the AAATA, DDA, and the overwhelming response was positive.

Period products are a necessity for anybody who menstruates.

Access to these items is a matter of personal dignity and public health necessity. Too many people struggle to obtain them and I believe we need and will do something about it.

I'm delighted and proud to have brought this forward with my colleagues and I very much look forward to the discussion here and elsewhere.

Further discussion.

>> Councilmember Hayner: I want to point out that our legal staff is hearing some advice on this and they advanced that the second reading, if this passes tonight, which I'm sure it will, be postponed until the second meeting in November.

So I just wanted to bring that up now.

I'm sure that everybody has their whatever in order to talk about it.

We have been asked to postpone the second reading until the second meeting, not the next meeting.

As to the topic itself, I will just say that I know that there's some places that are mandated to have public restrooms, bars and public restrooms and they already

practice this.

The only problem they've had is when they practiced it freely, like we are going to require here, that they ran into trouble with the did -- ran into trouble with the complete emptying the dispensing units.

They were -- thousands of dollars in plumbers bills because they flushed them.

The reality for the business owners who are already doing this, they had to go to a quarter because it deferred the prankster or whatever was going on in their bathrooms that was blowing up their plumbing.

And so, you know, I think when we mandate businesses do things, we have to expect that they are taken on some kind of burden, and, you know, I don't know if -- you know, because this is only mandated for places that are required by law, to offer public restroom, that you know, my initial reaction was people would say, I will not allow them to use my restroom.

They are mandated by this and the only question is enforcement and it's just another thing to put on our community standards people.

So, you know, what can I say?

I think there's people that have about on doing this already that have seen the freeness as a problem with it.

Hopefully those incidents are few and far between.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah, I appreciate the sponsors bringing this resolution forward.

It has spurred much discussion and questions regarding personal hygiene for all. We were just told we need to lead by example.

And Councilmember Nelson had sent some questions to the staff which responded to us, and quite frankly, we are not leading on this, you know, our city facilities don't currently do this at 100%.

But yet again, here we are telling businesses and others to take on this role that we're currently not doing ourselves.

I'm eye few steps away -- I'm a few steps away from liberty plaza.

I have even an increase of folks coming into my restaurant and using my restaurants.

Bathing themselves in my sinks and washing themselves.

Using the restrooms -- and we allow it and we have to clean it and sometimes it's not pretty.

And that's fine.

But, again, where are our public downtown restrooms?

Where are they?

I just got back from Traverse City, guess, what they are so progressive and they have them there.

I go to other parts of Michigan, they have them there.

But when I discussed having public restrooms for the most vulnerable populations in Ann Arbor, I get told it's too complicated.

It's too expensive.

We don't want to do it.

So I know this is first reading.

I will be supporting it here and again in second reading.

It's not a matter of this particular issue, but the holistic approach to city.

And the fact that we fail mightily when it comes to providing for the less fortunate, the folks who have mental health issues, addiction problems, homelessness.

It's there, folks.

Ask your people who own businesses and run restaurants and stores in the downtown area.

It's not -- it has not been fun.

And Yeltsin, we're asked to do more.

And we will do it.

-- and yet we are asked to do more, and we will do it, because we are good community partners.

But I want public restrooms, ran and cleaned by the city as well.

>> Mayor Taylor: Councilmember Song?

>> Councilmember Song: I have always pointed to Ann Arbor district library as being a really good example of having publicly available bathrooms.

They have been updated.

They are safe.

They are clean.

They support public and community members.

The library has extended their hours from 10, 10 a.m. to 8 p.m. now at all branches.

And that's really reassuring, seeing as downtown prepandemic, during the weekends, the downtown branch saw 3,000 to 5,000 visitors over the course of a weekend and for their programs.

You would be really surprised how many people would come out, but also, you know, supports, you know, folks during art fair, and during sports events, and hundreds of people and families come for the annual Halloween costume event.

So we do have A.D.A. accessible bathrooms in the library.

And we have provided free menstrual products.

There's not considerable problems when it comes to flooding.

The flooding that actually had happened in the past with libraries was due to outdated infrastructure that could have been addressed if we had updated the actual facilities and building, about but not because of tampon and feminine products.

I'm pleased to see this come forward.

I was not part of this effort.

Did I talk to downtown business owners who were a little confused by, it but for folks that understood that we have -- I pointed to a study where a quarter of the students 13 to 19 years old struggle to afford period products.

And recently our own state house passed legislation against period text, a tampon text and speaks to period poverty.

It's bipartisan supported, and speaks to folks, you know, even in the -- the U.B.I. work that's coming that we will talk about in a couple minutes, where folks



actually said, you know, I had to choose between, you know, what products to buy to support my family and it included period products.

And happy to be able to afford these items.

I'm in support of this.

I'm happy to see it.

I wish we had caught up with the library before.

But it's always good to have good role model that supports so many community members.

Thanks.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks.

Just real quick, I will agree with what councilman Ramlawi said about our utter lack of public facilities.

We put some port-a-johns in various parks, liberty plaza.

Are we mandating that we also provide these products in too the portable toilets?

It wasn't clear to me.

Secondly, I just want to say that in speaking with folks in the neighborhood and the community about this, I'm always learning things on council, and they just -- it's passe to call these feminine products in anyway, because there are folks who menstruate who did not identify with the effeminate nature of gender.

I wanted to throw that out there.

>> Councilmember Nelson: I appreciate the examples that people have offered.

One of my concerns with this ordinance and it's likely to move forward.

I feel like we are making a giant leap and placing a burden on people that perhaps -- I mean to Councilmember Ramlawi's point, are not necessarily the people who should be taking on yet another burden.

In terms of the burden on students, what it looks like to me is that other communities who have implemented a policy like this to direct supplies who need it have distributed it through schools and have made these products available through municipal buildings and public buildings, not business buildings.

And we're not -- it's puzzling to me that we are not starting with ourselves to understand what the cost is going to be.

Perhaps there's a difference between a quiet bathroom in a library that is fairly well supervised and a bathroom that's tucked into a corner of a busy restaurant, and we're not really taking the time to understand the difference between those two situations.

And I also read about the lifted of taxes on these products at the state level.

Again, I think that's a situation where we are taking the response interest of paying for this public good and we're not foisting the responsibility on the businesses.

We are saying, look, the person who is on the receiving end -- the state is taking that burden away.

We are asking businesses to take that burden away.

I do appreciate what Councilmember Hayner had to contribute, because I -- these are -- these are practical questions that you wonder about when you have

something that is -- well, next to plumbing that is likely to cause problems and if people get the idea to do something -- do the wrong thing with it.

This is an important issue and I wish we were approaching it a little more thoughtfully in terms of how -- what were the best outlets to get supplies to people who need it.

I don't know that, for instance, if I was in need of supplies and couldn't afford them if my first thought would be to go to the Starbucks.

I -- and I don't know that doctor Starbucks may not have a problem dealing with this.

We don't understand what type of burden this is going to be on them.

I asked questioned of staff, did we understand the costs that would be involved. What the burden is likely to be for the city taking this on and we won't even understand that.

We don't know any of that.

And I appreciate a recommendation for a postponement.

I wish they were thinking about it a little bit more, I guess.

The issue is important.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: Yes, first I want to restate the need for public restrooms in the downtown area.

I have been to the delta hangar at the airport for fund-raisers.

They have a portable trailer that has very nice restrooms in it.

I was in Grand Rapids for a wedding that was outdoors.

They also had trailers.

So there are units that are available that are not ugly port-a-johns and I certainly think we need to consider them.

The problem I think we are trying to solve with this resolution is that some people cannot afford menstrual products.

So if that's the problem, I think we need to explore other ways to get products to people.

The Ann Arbor thrift shop is one of them that does that.

I'm not against this resolution.

I want to make sure that it's not some feel good resolution that we pass.

We never actually enforce it, or it's misused, sort of the way the vegetation ordinance is right now.

So one customer comes in, takes all the products that's available, and two minutes later, there's no products available and they file a complaint.

I think we need to be prepared for those kinds of issues.

So I would support a postponement so we can work through the implementation.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I didn't think I would have so much to say on this particular issue, but apparently I do.

I think a lot of it is because I have run a restaurant for 30 years and deal with a public bathroom.

I have to clean them, especially when my guests from liberty plaza come over. I will just say that during COVID, neither the Blake transit center or the district library had their bathrooms open for the public.

Well over a year.

I will also say they have hours of operation.

What happens after -- after hours?

This is a good start.

This addresses a fundamental need.

But it's a bunch of colliding horses.

You know, one with the public safety and health and wealth, and the affordability of such products and the public distribution and who should and where should that be as well as us leading first, the schools leading first.

And I'm not sure -- mayor, you reached out to Ann Arbor public schools district, whether this is a current practice in all of their schools.

You know, because, you know, if you are answer for me if you could, but is that a current practice and whether that's where we need to be focusing our efforts, as well as asking the private sector that operates most of our public restrooms in the city to take this on, and these great anecdotal stories that we are hearing from my colleagues just throws a little bit of reality into our discussions.

I don't think this will be supported -- I will support it.

>> Mayor Taylor: The response on that conversation with Dr. Swift, I don't recollect -- this was earlier in the spring.

I don't think that this was something that they had done or they were going to do, but there was strong enthusiasm for the prospect.

Councilmember Eyer.

>> Councilmember Eyer: Thank you.

Well, as a cosponsor of this, and as somebody who helped work on it, I'm really happy to see it come forward.

You know, a lot of issues have been raised tonight that I think could be easily allied to toilet -- applied to toilet paper if we are talking about toilet paper in public bathrooms which public bathrooms first became a thing.

For those around this table, who do not deal with this issue, I would just say imagine having to carry around a roll of toilet paper with you everywhere you went.

And sometimes finding yourself having run out.

The problem this is solving is not -- it's not just one of period poverty, although that is the most important issue.

It is also one of access to a basic necessity when you may not have it on your person.

And that happens to everyone who menstruates from time to time.

We find ourselves stuck without the necessary supplies.

The supply is as necessary as toilet paper and if we believe that public restrooms should be stocked with toilet paper, it should follow that public restrooms should be stocked with menstrual supplies.

And I do believe that once we are ubiquitous, concerns about people stealing

them will go away.

I mean, generally, we don't have people going around to our public restrooms stealing toilet paper, although that may have happened during COVID at certain points when nobody could get their hands on some.

But you know, I think that this is a shift to recognizing that these are not luxury items.

They are necessity items.

The state is recognizing that they should not be taxed and they should be widely available, as available as toilet paper and soap.

It's as simple as that.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: Councilmember Eyer said much of what I was going to say.

I was thinking is anyone going to try to set a trap?

You go into the restroom and they are out of toilet paper or out of soap, do you think to call community standards or do you think to find someone who works there?

Hey, by the way, you need to just work on your supplies, right?

Replenish.

That's all -- that's -- we are trying to not only work on creating an environment for that provides basic dignity for all people, but also working on stigma.

The fact that we can have this conversation at the council table, I think is important in and of itself.

And hopefully, like we do with other things create some model legislation that can be used in other places so that it does truly become eventually ubiquitous like it is in other places the world.

So I want to thank those who have worked on this.

I'm happy to be added as a cosponsor.

This is a stigma issue and it's one that does have the taunt to prevent real health issues in our community, right?

There are outcomes that can be fairly serious, in terms of psychosocial issues.

And so we may be preventing serious infection, for example, by having this available.

And I know based on open conversations I already had with the folks at the city, that we will be pleased to lead the way in implementing.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I will thank Councilmember Eyer.

She said most of what I wanted to say, probably more succinctly and clearly than I would have.

This requires us to have a shift in our mentality, but for all of the reasons that Councilmember Eyer listed, I think that this is required.

I think this is necessary of us.

If we want to lead as a city and I think this is a really great thing.

I also want to thank Councilmember Hayner for pointing something out early in this conversation that I do think is important, and worth noting, and draw attention

to the fact that I know Mayor Taylor worked very hard to ensure that this was not restricted to specific gendered restroom and that is important as well because people of all genders menstruate.

And so -- and so it is important for us to make sure we are leading in the language on this as well.

But then I also just wanted to because it has come up a couple of times and for those who are interested, I know that this is something I have heard about regularly from a community.

I think these issues are distinct and separate, but to the extent that they are tied together, the issue of downtown public restrooms, it's important to note that a few people have noted some of the public restrooms that are available, this is something that I have had several conversations with members the community about, but ultimately if we want to make change on something, we need to act on it.

I also want to thank Councilmember Ramlawi for taking my call this weekend and I hope that we can maybe bring something forward to explore whether or not we can have more downtown public restroom facilities.

But I think that it's important to note that these are also distinct.

Besides -- whether or not we have more public restroom facilities, this is an issue that is much bigger than that.

So thanks to -- [ No audio ]

>> Mayor Taylor: To bring it back for the second meeting in November for the second reading.

>> Councilmember Hayner: Does that include the public hearing then?

>> Mayor Taylor: It does.

>> Councilmember Hayner: Okay.

>> Mayor Taylor: And I would like to --

>> Councilmember Hayner: In the case it's a notice change or something, that's all?

>> Mayor Taylor: I would like to advance thank staff for providing a memo on this, Mr. Reiser.

I also worked very closely with Ms. Blake, formerly of the office on this back in the spring, and so while -- while we'll no doubt -- Mr. Reiser and team could do it ably on their own from the jump, they will be standing on the shoulder of a giant. Further discussion?

All in favor?

Opposed?

It is approved.

It is 9:29.

Let's take a short break and meet back here at 9:40.

[ Break ]

>> Mayor Taylor: We are back after a short break.

C-3, An Ordinance to Amend Sections 1:451 to 1:455 of Chapter 17

Reapportionment of Wards, of Title I of the Code of the City of Ann Arbor.

Moved by Councilmember Grand, seconded by Councilmember Disch.

Discussion, please, of c-3.

Councilmember Hayner.

>> Councilmember Hayner: Thanks.

I want to thank the clerk for responding to my concerns about the growth we're experiencing here in ward one, that it's likely that this switching, reapportionment is going to be moot in a year or so, in ward 1, we'll have another 1500 to 2,000 people that will shift the percentages.

I want to appreciate her response to my queries on that and the work that I know goes into shuffling this around.

I'm sorry to give up some areas.

The one thing I didn't understand is if the -- as they are reapportioned, I would assume that they are going to be -- I tried to understand it that there will be a shifting of the primary sources sinks and typically that section of ward 1 that's getting added to 4, I believe it is, I think it was 11 or 12 was Michigan union.

I assume that some precinct reconfiguring will happen down there at the center of city area; is that accurate?

>> Mayor Taylor: Ms. Beaudry?

>> Clerk Beaudry: Oh, yes.

I can answer that.

Once the --

>> Councilmember Hayner: Sorry, if that was not forcefully questionable.

>> Clerk Beaudry: Once the ward boundaries are approved, we will -- the precincts have to be contained within each ward.

So then we will let the drawing up the precinct boundaries within the wards and those, of course, every precinct would have the same representation.

It's just a geographic distributing of the population within the ward.

So the limit there by law is 2,999 voters for precinct and so that Michigan union location may very well be used in a different ward, depending on once the boundaries are drawn.

>> Councilmember Hayner: Sure.

And if I saw that correctly, then the folks who were in that, if they are registered voters, they will automatically be updated that you are now voting in a different ward or -- right?

Because if there's somebody who lives there, they will get a thing that says, hey, guess what, you are not in ward 1 anymore or you are in 4 or 5 or whatever?

>> Clerk Beaudry: That's correct.

Any change to the voters' districts whether that's just a number.

For example, in the 2011 redistricting, our entire city, the congressional number changed.

It didn't change the representative.

We switched from District 15 to District 12.

So any change in what flub you are assigned and certainly if you actually have to physically move to a new polling station, but any change to your voter districts will generate a new card in the mail.

>> Councilmember Hayner: Okay.

Thanks.

This is mandated by state law, I assume.

So do they help to defray the costs of all that in any way?

>> Clerk Beaudry: They do not.

>> Councilmember Hayner:

Sorry to hear that.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you.

I also want to extend my thanks to the clerk for the quick work on this.

I know that this was something that you were already thinking about and working on from previous conversations I had with you, but that you were fairly responsive to new requests from the county's reinforcement commission in order to make sure that they could make this as seamless as possible to make our elections more affordable and make lines catch up as best as possible.

I wanted to draw attention to something that comes up, I think every time that I speak to students on campus, which is the nature of our boundaries that vote in the city in five different wards.

That's not something that the clerk is choosing to do or each council.

It's laid out in the charter, that the city should be broke up in a pie-shaped manner with the center being kind of that campus area.

So that is something that I know continued to be a question among our student residents.

And so I think this is just an apt opportunity to point out that that is stipulated by charter.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I also want to thank our city clerk.

I think that the new board boundaries are really ideal.

I cannot think of a better way to do it, but I tried because I didn't want to give up all of my students on the hill.

So I'm sorry to be losing them.

And also to follow-up on something that Councilmember Radina said, I have been approached mull.

Times about the, quote, republican gerrymandering that we live in Ann Arbor, with the pie-shaped wards that divide the student population.

There are some students and others that have talked about a charter amendment to remove that pie-shaped requirement.

And I think council updated if that actually comes forward and I take possession of it.

Thank you.

>> Councilmember Ramlawi: Thanks for doing this work and thanks for doing it so well.

And obviously, we -- on the admin committee, we got this information a little bit ahead of the body, and approved it and that meeting, you told us that this would be in effect in any May elections.

I wanted the public to know if that's currently the case and I believe it still is, and

nothing has changed that these boundaries would be reflected in an election that would be held next year as early as May.

>> Mayor Taylor: Further discussion.

This is first reading, of course, but there's no reason not to thank people who do an excellent job more than once.

So Ms. Beaudry and you and yours, truly, you are the best.

Thank you.

All in favor?

Opposed?

It is approved.

DB-1, Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road.

Moved by Councilmember Griswold, seconded by Councilmember Disch.

Discussion of db-1.

Councilmember Disch.

>> Councilmember Disch: Sorry.

Is planning staff here?

>> Clerk Beaudry: We are moving the planners over.

I wanted to ask to have a clarification on a couple of points.

So this is a site that was former Concordia College and part of it is -- and that's being joined -- there are two sites being joined here to provide single family housing at not a terribly high density.

The master plan recommends residential uses 7 to 10 dwelling units per acre and this will be just two and the petitioner informed us on planning that the reason they are not going any higher than that is that the site is really complicated.

There's wetlands.

This' woods.

There's complicated grading issues and so he this didn't want to flatten the site. They wanted to preserve some of what it is currently, and so this is why we see the proposal here.

And this is why this probably wouldn't be a good site for affordable housing because to make it more dense, would you really have to -- as you said, flatten it. Concerns have been raised about pedestrian connect thrift, and access.

And I wanted to direct those concerns to planning staff and also bicycle connectivity.

My understanding which may be partial is that the petitioner is providing sidewalks on both sides of the proposed interior streets, connecting to the sidewalk fronting Earhart road and there is a resurfacing project for Earhart road and bicycle lanes will be on both sides of the Earhart road and filling in sidewalk gaps.

It didn't sound like to me that it was devoid of pedestrian, you know, provisions. So I wonder if staff could clarify the access issues.

>> Council person Disch.

They will fill in the sidewalk gaps through the millage sometime in the future.



I think there's ongoing meetings for those sidewalks.

>> Councilmember Disch: And I don't know if there's any time remaining. There was an email from Adam Goodman that went to the planning folks, suggesting a short cut through the -- it was hard for me to read it because it seemed like the short cut led to Earhart road.

I didn't understand entirely what he was proposing.

Do you have any comments on that?

>> Yes, did I discuss this with the developer and they looked into it because of the steep slope and wetlands, they didn't think that they could make it A.D.A. compliant and get permission from Concordia to make a connection through there.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I will try to get this in real quick.

This is 32.6 acres that will generate \$22 million approximately in profit for this developer.

60% of the low grade trees will be cut down and 65% of the landmark trees.

I don't understand why we have a landmark tree ordinance other than to create a baseline for asking for a paltry sum from the developers.

This is a challenging site.

If we believe in the 2030 A2Zero goals that every building standing in 2030 should be carbon neutral or at least as close to it as possible, this doesn't meet those goals.

It doesn't exceed the 100 year storm standard which is quite low, I believe, and I believe the A2Zero plan will do that.

The best time to build housing that meets these goals is any time a house is built.

I think we all recognize that.

This is not the kind of housing that Ann Arbor needs.

You know, put on top of all of that, it -- it's -- you know, I have been harangued on social media and even person because I live in a single family home that somehow I'm racist because single-family zoning is racist.

Well, if single-family zoning is racist, then we shouldn't be approving this racist project.

If we believe in our A2Zero goals that we say we do, we shouldn't be approving in housing to be built unless we meet those goals unless we expect it to be torn down and replaced by 2030.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah, I'm disappointed with this project.

34 acres, yielding only 54 single family homes.

I just believe it's just woefully short of what we're looking for and if it's going to cause the destruction of the natural habitat and the natural features in the area, we should be asking for much more.

And I have a question to staff -- I'm not sure whether it's appropriate, but the comments that were made by my colleague were not possible.

I'm having a really hard time with the housing crisis that we have, and the policies we are pursuing, and the issues that my other colleague just spoke on, allowing

this to happen with the little bit of land that's left vacant within our city.  
Are we really going to just get 54 single family homes out this?  
There's no other public benefit other than some money to the parks and you had know, questionable on whether that sidewalk gap should be used.  
The millage should be used.  
It did not take the burden off the developers.  
It was not to be the substitute surrogate for the developer in these cases.  
But I go back to my original question.  
Why can't we have dancer development at this site -- denser development at this site.

It's not that much housing for 34 acres.

>> I can attempt to answer that.

Over time, many places, such as this one, were both planned and zoned for single-family residential.

I presume it came to some reference to the surrounding land use and the desired pattern of development to mandate higher density it would be preferred for us to look for the policy and the corresponding city steps to rezone these areas to such a way that wouldn't allow the type of housing that the council finds undesirable.

>> Councilmember Ramlawi: I guess it doesn't help that we are two years behind revisiting our master plan.

We made differences on our land use, substantial differences without our master plan.

>> Mayor Taylor: You are at three minutes now, councilmember.

>> Councilmember Ramlawi: I'm highly disappointed in this project.

>> Councilmember Griswold: I'm a bit concerned about the timing of the crosswalks.

I live close to this area and I have been advocating for bike lanes and sidewalks along Earhart, along with some improvements and it's been very slow going S. there a way we could have the developer fund some of the sidewalks and have that a condition of occupancy.

We definitely don't want to have residents in this development without those sidewalks because they can't get anywhere out of their area as it is right now. And also regarding having access at the back of the development through Concordia's property down to the bus stop that's on geddes, we may not be able to do that formally, but I have been there today and there's a path that goes along where the baseball diamonds are.

I think it would be easy if the residents wanted to walk that way if they wanted to. I didn't look at all the terrain.

I'm not saying the city approves that but I'm thinking that it may be doable and similar paths exist in this neighborhood in other areas.

And some are officially and are not.

But back to the sidewalk, can you answer that question?

Can we make the filling the sidewalk gaps conditional on occupancy?

>> Well, the -- they are providing sidewalk on their frontage along Earhart road.

>> Councilmember Griswold: Okay.

>> So they are providing that segment.

The rest will be done through the city, through the sidewalk gap millage program.

>> Councilmember Griswold: So it may be five years later after this development is completed?

>> I don't have a time -- yes.

I mean, I could follow up with the engineering department.

I know they have had public meetings out there but to tell you when the gaps will be filled, I couldn't answer that.

>> Councilmember Griswold: Okay.

Because I would be a no vote on this development, until we get that resolved, because Earhart is very dangerous due to the road geometry and the vegetation growing over the lanes of traffic.

Anyway, it's very nonstandard out there and we desperately need sidewalks on the east side of the street.

Thanks.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks.

So looking at this project, it appears it -- this project complies with our zoning which is why it was approved by planning despite, I suspect concerns about it, I think callers and members around the council table have mentioned, this is really not the type of housing that we want to see moving forward in our community.

I believe with those statements.

We don't want to see more single family zoning.

I hope to see changes at the state that allow us to require that and house that's built and doesn't contribute to our goals.

I did think it was interesting, the suggestion to have a moratorium on single family zoning.

That was mentioned by former Councilmember Bannister.

I suspect it's a little bit challenging to do that in the midst of a -- when a project comes to the council table, and if there was a moratorium and if council was interested in that and what the time would look like.

Would that be while we are considering a project or at a separate time?

>> Well, I would leave some degree of that to the city attorney's office, but I -- I would generally concur with you it doesn't resonate with me as a tool you would want to apply as a mechanism for considering a development on your agenda, but it is something that the council could pursue in the future.

I would say that whenever such action is taken would be really important for the council to determine what you would be seeking to accomplish that warranted that.

It's a pretty significant action.

So it would be really important to set the goals very clearly about what the council is trying to determine, and to do it in an appropriate time frame.

But I don't know --

>> Councilmember Briggs: That's helpful.

Thank you.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: I believe Mr. Postema has his hand raised.

>> I will have Mr. McDonald provide additional advice on the issues of moratorium and he can do that in the future so you can understand all the ramifications.

>> Mayor Taylor: Council member grand?

>> Councilmember Grand: Thank you.

As Councilmember Briggs stated already, you know, I think it's pretty clear that although we may not be enamored with this development, that it does comply with our zoning and our rules and the state places a lot of barriers in our way in terms of getting the kinds of development we want to see.

I think we also place a lot of barriers by incentivizing that -- that we do incentivize single-family homes.

The way that we get more is by getting more density and by giving the developers more than what's in the current zoning.

That's how we have been making gains in terms of sustainability or making gains in terms of adding different kinds of housing.

If what I'm hearing is we want to be more in line with what the federal government is pushing in terms of making our zoning less exclusionary, I think we can certainly have those conversations and recognize that, you know, we don't really have a lot of power here to make any decisions when it comes to development that complies with our rules.

Planning commission didn't and we don't as a council.

To imagine that we do and, you know, it's really disingenuous.

So I would be perfectly happy if we didn't have discussions at the council table that meet our criteria, because we really don't have the power to do anything about it other than to vote yes.

And I wish it was different.

>> Councilmember Song: To king elementary, there's another preschool.

The student body is represented by children from 20 countries and 35 languages. It's also where children from green Baxter court also attend king elementary school.

So while this development will not particularly meet the housing crisis in our ward and the diversity of income and race, that's represented in our neighborhood and it's unfortunate.

I think there would have been support as there have been conversations where folks realized that this would have been a nice opportunity for dense development right close to 23.

But that's not the case.

And given the demand in the area and if we looked at the census numbers where our ward has grown by a couple thousand folks, this will likely go pretty quickly.

So in the meantime, I will -- the work I have done is talked to schools if they can accommodate these families and also hopefully we can speak to how we had the opportunity to slow down Earhart and had actually engaged the community and surveyed folks and what needed to happen along Earhart and glacier.

How can we revisit that as it relates to this development?

Is there -- you know, along the traffic that we -- that we will -- and the improvements that we can see as this development comes?

>> We can't.

That would be public services.

I will share what we have learned and Mr. Cheng, correct me if I'm wrong, but that the initial work is sort of refurbishing of the right-of-way and some reconfiguration to talk about the bike lanes and the like.

The community engagement as you discuss is happening for the more northern portions of that.

I don't even know exactly where that break is, if it's at the green hill connection or otherwise, but there is discussion about what are the long-term plans for the northern segment of that?

There's opportunities how it would impact the ultimate design decisions that have not been plead to my understanding.

-- made to my understanding.

>> Councilmember Song: Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: It's good that there's 11 members present to be able to support this.

I won't be supporting this for many reasons, two that I have already articulated. You know, we declare a climate emergency and we require all of these things on so many people and businesses as we do every meeting, passing new ordinances as we did earlier tonight.

But yet here in the last whereas clause, it says, the development will not cause at the public or private nuisance and would not have a detrimental effect on the public health, safety and welfare.

Now, if we think we are going to continue to build that way, under a climate emergency, and climate neutrality goals.

And then we will include -- [ No audio ]

I understand it's a by right develop, but I challenge that right now under the auspices of a climate emergency.

We have an existential disaster looming, but yet we will build homes that are designed for the next 100 years that are going to severely disrupt the natural environment and offer very little housing and the housing it does offer is going to be the top 5%, perhaps 2% of our population.

I just won't support this.

Thank for the petitioner, there's many other people on this screen here tonight that will.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes, I attended some of those community meetings and so my knowledge, the plans only went down to Walden wood. So it was Walden wood north and it did not address the most dangerous area which is south of Walden wood down to Earhart.

So I believe that staff is proposal improvements.

In that area, which would be near this development but we don't have any estimated time for the roadway improvements or is it just the sidewalk gaps that we don't have an estimated completion time?

I guess my question is: Do we have -- go ahead.

>> I thought we had road improvement estimation for the repaving from Walden wood south.

>> I'm going back and I'm looking through the conversation I had with the engineering who was working on that.

Let me see if I can't find some additional information.

I would like to add if you had questions for the developer, I think they may be included.

If you had specific questions.

>> Councilmember Griswold: You can get back to me later.

>> Okay.

Great.

>> Councilmember Griswold: Thank you.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I was hoping the staff might be able to speak around the public health, safety and welfare.

It's easy for us to want to pack a lot into that, but legally, kind of if you could speak to the conditions under which the public health, safety and welfare as a reason to deny a by right project.

>> I appreciate the -- it's often referenced and my advice is you answer whether or not the public, health, safety and welfare is being achieved by compliance with the ordinances that you establish.

So that is the basis for these ordinances.

That's the basis for your chapter in this case, Chapter 55, UDC and that's an affirmation of the project is meeting the ordinances that you established for measurement.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: When speaking about this development.

Did I not mean to advocate for it.

It's certainly not my favorite kind of housing.

No doubt, this might better uses, more efficient uses for this parcel, though it's a complicated parcel.

Put it is a by right project and we do not have any discussion over a by right project.

So in one respect this entire conversation is a waste of time.

I will be voting for it, not because I like it, but because the law, common sense and prudence about not landing the city in court, which is something I take seriously requires that I do so.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I'm happy to land the city in court in this case because we passed up many, many opportunities to design exactly what we mean by the health, safety and welfare and by doing so, making the rapid types

of changes that we needed to our land use zoning to avoid exactly what is on the table before us today.

So, you know, a couple years back we had a situation with the Trinitas development up the street from us.

In eight years, those will not be carbon neutral properties and neither are these.

And it's just -- it's disingenuous to throw up our hands and oh, buy right.

Let's get moving on changing what those rights are.

I'm happy to go against this.

I don't have any -- I'm happy to vote against this.

I don't have any -- I looked they plan, there's like 3,000 square foot, 4,000 square foot houses.

What are these from the low 600s?

This guy will make \$27 million on this project.

He's got all kinds of money to fight us in court.

But some point, we will have to put our foot down and we will have to say that our zoning -- we will have to admit to ourselves that our zoning does not reflect the wants and needs and desires of the majority of our community as expressed in our various plans and I know our A2Zero plan is not an actual master plan or a reference document.

We don't have an opportunity to lean on that.

Let's get together and make that change and make it part of a master plan doubt.

I'm sorry I keep using master plan but the time is limited.

I don't like that language.

We have to be the changes we want to see.

I cannot support this.

I won't put my name to this.

>> Mayor Taylor: Mr. Hutchinson, did you have a response to something.

>> I did.

There were some questions about some of the public project out on Earhart, I wanted to address those real quick.

The project that we have scheduled for next year, resurfacing from Geddes up to Green Hills where the road starts to split.

It's a resurfacing project.

We will be adding bike lanes to that project.

In 2024 or in 2023, the following year, we will address the area north of that.

We are getting started on public meetings regarding that roadway up there.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

Like Councilmember Disch and others I will reluctantly vote for this, because --

[ No audio ]

For eliminating exclusionary zoning.

This is quite a sea change from just last year, when the A2Zero plan was debated, and it initially included buy right development of fourplexes and several councilmembers at this table, including Councilmember Hayner had concerns with that at the time.

So I'm really excited that there's been this 180 change and I say, you know, yeah, let's vote for this tonight because we have to.

But you know, let's move forward to work on exclusionary voting.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: My name was named and my remarks were mischaracterized as my council colleague.

I will ask for a point of personal privilege here.

>> Mayor Taylor: Point of personal privilege is when your motives have been attacked and that was not the case here.

>> Councilmember Hayner: It happens plenty.

>> Mayor Taylor: Well, the fact remains here, no.

>> Councilmember Hayner: I disagree.

>> Mayor Taylor: Further discussion of the main motion.

Roll call vote, please, starting with Councilmember Briggs.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: Absolutely not.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: No.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: DC-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 in the amount of \$1,011,319.29.

Moved by Briggs and seconded.

Discussion of DC-1.

>> Councilmember Ramlawi: I wish we had more opportunity to speak.

This is the first opportunity.

I won't take all three minutes.

There's a lot of questions and I think misinformation, you know, about this project.

The future use in the area, what happens with this infrastructure upgrade or replacement if it was to go forward?

And what type of mobility would be using that infrastructure?

And I think this was discussed briefly whether -- when this originally came to council and what possible decking could be used to change and reflect our future aspirations, policies, go he wills and ways of folks around.

I guess I'm just going to use my three minutes as to help paint the picture here that the question is if we approve this as it's being proposed, this has the



possibility and the potential to be changed in the future to accommodate the concerns that have been raised about increased traffic and not being pedestrian friendly.

I know Michael rain and others is here and can talk about the bridge and the uses going forward.

Again, it seems like the critics of this are saying that this is going to be used for cars, it will be car centric.

And I'm just concerned that that is what is being discussed here and that might not be the case.

If you could help that --

>> Mayor Taylor: Mr. Hupy, perhaps?

Mr. Hutchinson?

>> Mr. Hutchinson, if you could.

>> Mayor Taylor: Oh.

>> So if he have -- studies have been done on the insection as a whole and show we need an additional vehicular lane coming into the hospital over that bridge and the widening will help for the future flexibility when we do redesign the intersection for that space.

That's not to say that there's not other opportunities for non-motorized travel in this area.

We have 21 feet of sidewalk that is already along there that we have to work with.

In addition to that, there's also plans that were outlined -- that I gave a very brief view of in the memo that I provided about passage underneath the bridges too, that can help with non-motorized connections in the area as well.

>> Mr. Mayor, before we move on to Councilmember Briggs can I point out that there was an introduction item for this piece of legislation, and I don't know when the -- we have passed the appropriate time for an introduction item but if there's an opportunity to slip it in, Mr. Hutchinson has a few comments.

[ No audio ]

>> If this is approved, that if the -- if a future connection underneath the east medical side bridge would preclude upgraded pedestrian crosses and the answer is, no, it would not preclude at grade pedestrian crossings there's at grade pedestrian crossings right now.

If this was a future connection underneath the bridge or if it was decided to be part of this project, that would not necessarily replace at grade crossings.

>> Mayor Taylor: Did I --

>> I believe councilwoman Briggs' is next.

>> Mayor Taylor: I zigged when I should have zagged.

>> Councilmember Briggs: I want to thank staff for the more comprehensive memo that was provided and Mr. Hutchinson and Mr. Fournier for meeting with me during this time period, as well as others.

I definitely learned a lot more about this project and appreciate that and appreciate that there's a lot more out there in the public forum for others to be able to dig into at this point in terms of those reports.

I would like to -- I also appreciate the inclusion of the transportation commission moving forward and the suggestion around the resolve clause that we can introduce this council for one and two.

On that note, I wonder if Ms. Beaudry can forward around two resolve clauses that I would like to introduce.

We can consider them separately or together.

I suspect we will want to consider them separately.

While we are waiting, the first one is resolve the final design will utilize the additional width and the capacity to encourage multimodal travel and the second resolve clause is around border to border trail.

That one reads resolves that council directs the city administrator to negotiate an amendment to the contract with L.Z. to design the east-west pathway connection under the east medical center drive bridge, and develop a cost estimate for construction and that the city administrator be authorized to approve this amendment to the contract.

I would like to move those but I'm happy to move them separately or to go.

>> Mayor Taylor: Let's roll with the first.

Is there a second with respect to the amendment as to width?

Seconded by Councilmember Griswold.

Is that friendly to the body?

I have Councilmember Ramlawi on a question.

>> Councilmember Ramlawi: I apologize.

Thanks.

The example of transit, I'm sorry.

What is the sponsor envisioning with that, I would imagine all modes would be there.

>> Councilmember Briggs: There's many different ways the multimodal transportation could be facilitated but we could have -- this could be a car pool transit lane.

There could be a car pool transit bike lane.

That additional capacity could be used in ways that produces -- you know is in better alignment with the plans that we passed.

>> Councilmember Ramlawi: My next question is what do the engineers and representatives from the university feel about this, whether it's something that is amenable?

And possible?

>> Councilmember Briggs: I wonder if I still have the floor after introducing the amendment?

>> Mayor Taylor: I guess I asked for a question as to whether it was friendly. It was no.

I asked a question.

I will give you the floor on that.

So you will have four on the amendment and I won't count the question against Ramlawi on the amendment.

Councilmember Briggs?

>> Councilmember Briggs: Okay.

I think I described a little bit the intent around this.

I appreciate what the information we were presented in our memo about the desire to see this additional roadway width to vehicular traffic.

However, you know, I'm looking at our -- the plans we have passed whether it's the transportation plan or carbon neutrality plan or even the university's recent carbon neutrality plan.

They all seem to direct us to reducing single vehicle travel and improve -- making improvements on our infrastructure for transit, bike and foot.

And I'm looking at the information provided in the memo around desirability of adding capacity there, and I'm seeing information around congestions at peak hours that is suggesting that that is commuter traffic that we have the ability to help facilitate moving into other modes that we wish to see now.

Certainly as Councilmember Ramlawi mentioned we are the -- the opportunity always exists at a later day to reconfigure the roadway in some different way if we learn that we are we have produced a roadway configuration that doesn't work well for our community.

I would like to develop one that is better with our plans with this project.

>> Mayor Taylor: On the amendment.

I have Disch, Hayner and Ramlawi in the queue.

Your hands were up for the main motion.

I'm just going to run you through on the amendment.

Do you have something to say on the amendment, perhaps and then if you could please cycle back on the queue for the main motion.

Councilmember Disch?

No?

Councilmember Hayner?

>> Councilmember Hayner: Like, I live -- I live in this area.

I live by this bridge, and I have been over this bridge and I see the commuter traffic every single day of my life.

And I see gold passes and blue passes that blow by me and it is 1 in 1,000 if there is a car pool.

If there's two people in one of those cars, it's a shock.

[ No audio ]

There's no lane markers.

I'm not sure it will have any actual impact on the use of this.

So what can we do Mr. Rein and Ms. Gott to encourage car pooling to the hospital.

It just never happens.

And, you know, I get it.

It's just not going to happen.

We just don't have the authority, apparently and people are willing to cede our authority on planning matters and I'm willing to cede our authority on this.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yes, just to go back to the questions that I had,

what impact would it have, is there any reservation of allowing this?

Does it do anything to jeopardize the project?

You know, I will continue to add a little bit.

Commentary that I agree I'm actually over that bridge often, feeding members of the hospital.

There's a tremendous amount of traffic there.

And the only time you see more than one person in a car is when you have a commuter bus where they are taking people to the orange lots and the yellow.

The fact that you have an HOV lane on Fuller that has been there for nearly 30 years that doesn't get observed.

I appreciate the spirit and the intent of this amendment.

[ No audio ]

The ability to perform what is prescribed.

>> Mayor Taylor: Mr. -- [ No audio ]

>> Director of community relations.

We are very conscious and respectful that this is the city's bridge.

We are here tonight and the original proposal going back to September, because of a lot of work that went in with our traffic consultants, our -- our engineers, our planners, in concert with the city's traffic department and the city's engineers.

And we are here for three reasons.

The additional travel lane the widening makes sense at this time to complete as part of the bridge rehabilitation.

I'm not a civil engineer.

Nick can explain it and Craig can explain it in better terms.

From the economy of scale, if you are working on something of this magnitude, it makes sense to widen it at this juncture.

And then the third reason we are in alignment with the city staff in that widening affords flexibility to the city for however the best way to restructure, redesign the Fuller maiden lane intersection which we expect to be being at the table after that.

So that's why we are here tonight.

Again, we are respectful of the bridge that is owned by the city.

So if the appetite is not to widen it, and it's simply to rehab you know, our commitment at 50% of that construction cost, you know in place.

>> Mayor Taylor: I didn't hear a response to the question as to whether or not the cause was discomfoting.

Is that a challenge?

Is the amendment a challenge is or it fine?

Does it complicate matters or is consistent with long term goals?

>> We are committed to paying the \$5 million if we have the full travel lane.

Now Mr. Hutchinson -- [ No audio ]

11-foot lane being added and then having the existing width of the 10 and a half foot sidewalks to accommodate the multimodal routing that is desired here.

Unless we get a travel lane at the end of the design process, the Michigan medicine administration and the University of Michigan administration, wouldn't commit the \$5 million.

I hope that answers the question.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes, I believe this extra lane is needed to get people to the emergency department and I don't think it's our place to reduce response time to the emergency room.

I have a question for the city staff.

We keep hearing that adding a lane induces demand and that may be true of a roadway, but in this case, it is basically a drive going up to the hospital.

And so widening the lane is not going to result in more people going to the emergency room or going to the hospital to the parking structures there; is that correct, that we shouldn't be using this induced demand theory?

>> I would agree with that in this case.

If we were talking about say, Plymouth road or stadium boulevard, I completely would agree with the concept of induced demand there, but this is a unique circumstance where like you said, the bridge basically leads to the hospital and the demand is really going to be predicated upon the activities at the hospital, not so much an induced demand situation.

>> Councilmember Griswold: Oh, okay.

Thank you.

Then I will be strongly supporting this and I just want to mention that the lighting at the intersection is inadequate.

And I hope that it is addressed before we have another serious pedestrian crash and I will be describing six of them in my closing remarks tonight.

Thank you.

>> Mayor Taylor: Council member Nelson, the amendment.

>> Councilmember Nelson: So we are talking about an amendment that eliminates the added traffic lane.

I think need to ask for clarification of that.

No?

>> Mayor Taylor: I don't read it to eliminate the lane, but go on.

>> Councilmember Nelson: Well, okay.

Because I -- well, what is the additional width that we are adding apart from an additional travel lane?

>> Mayor Taylor: Councilmember Briggs.

I stepped in when perhaps I shouldn't have.

Councilmember Briggs?

>> Councilmember Briggs: My goal is that we would be encouraging -- utilizing that lane that is not single occupancy.

There's several ways that lane could be used.

I want to make sure it's in assignment with our goals.

>> Councilmember Nelson: Okay.

Then I need to redirect a question to staff then because base odd on where we left -- based on where we left off, in the traffic is going specifically to the hospital and it's not traffic that is choosing this as a route because it's wide and fast and easily, and it's literally people headed to the hospital, I mean do we not have

statistics about how many people on average find it convenient to go to the hospital by bicycle or bus?

I mean, this sort of goes to the very special circumstances of what this destination means for people.

And how people find themselves in a situation of needing no go to the hospital.

I guess I would like a reputation of the explanation of how we got to where our staff recommended a need for an additional lane of traffic in this specific place.

Maybe I'm asking for an answer from Mr. Hutchinson.

>> Specifically traffic studies done at this intersection indicated that -- first of all, there's congestion at this intersection.

That's been known for a while.

And particularly getting in and out the hospital.

One the things that needs to be done to alleviate that congestion is another lane.

A southbound lane over the bridge.

That was recommended by a previous traffic study.

If we are understanding this as necessary for vehicular traffic, the only -- the only option that I can imagine that would permit that in this additional width would be something like car pool lane.

And I don't see how this is very practical to solving the problem we are trying to solve.

Yeah.

Thank you.

>> So it's hard to -- it's not postponed I believe to say right here at the moment without doing -- without substantial amount of traffic analysis to see whether, you know, the mode split in that area would be enough to -- you know if there was a lane dedicated to transit, car pooling, if that would be enough to, you know, alleviate the congestion.

I can't answer that right now with a lot -- you know this need to be a lot further analysis to see if that would be viable or not.

>> Councilmember Nelson: It strikes me that an option like that would always be on the table without adding the resolve clause, wouldn't it?

>> Potentially.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Remind me, Mr. Hutchinson, what are we seeing the traffic congestion?

It's during the morning rush hour; is that right?

>> The study that was done previously indicated morning and afternoon peaks as a challenge.

But this is also changing demographics at the hospital, in terms of vehicular usage as well.

>> Councilmember Eyer: Meaning younger employees not using vehicles?

Well, this is probably something that the university can speak to better.

Patient use versus employee use.

Maybe sue you can add to that.

>> A.M. peak is the greatest peak.

It's a combing of surgery, those are patient cases, as well as visitors coming in in the morning and then as nick mentioned maybe over the last 15 years as we built Mott and now with the clinical inpatient tower, we have shifted a handful of our parking spaces from employee spaces to serve patients as a priority and we will see that shift continue with we open the new clinical inpatient.

>> Councilmember Eyer: So this is a mix of patients and employees that are kind of causing this congestion?

So, I mean that is correct?

Right?

We are not just talking about patients going to the emergency room.

We are talking about --

>> Oh.

Absolutely.

>> Councilmember Eyer: We're talking surgeries and employees going in for shifts.

>> Yep.

>> Councilmember Eyer: And when it comes to employees it strikes me that we can and should be encouraging as many people as possible to car pool in or to use transit.

To the greatest extent possible.

If we are serious about our A2Zero goals.

>> We have a pretty strong robust transit system for Michigan medicine, bringing in express buses for employees from a number of locations for that very reason. And just because parking is very limited.

>> Councilmember Eyer: It's a nightmare.

>> For employees at the medical center.

So we will now see over time the parking associated with employees continue to go down.

As well as for patients.

>> Councilmember Eyer: Right.

Okay.

So I would be comfortable in supporting this email list.

It doesn't mandate anything, but it's encouraging what we want to see and, again, we are talking about employees, not patients.

Thank you.

>> Well, if I could jump in.

I don't know if it's appropriate, Mr. Mayor.

As Mr. Hutchinson and Mr. Fournier included in the memo.

We are talking about a large regional hospital and the fact is the majority of our patients come from outside Ann Arbor.

So it's -- it's -- the general public, it's our patients, it's not simply visitors and employees and the large percentage are coming in from southeast Michigan, out of state, so either the three hospitals -- please don't forget about the cancer center, that is there and the cardiovascular center.

I want to make sure that we are keeping in mind it's a regional public hospital,

with a large percentage of our patients coming from out of state, out state, potentially, and driving.

For my part, I think it have a little bit more -- there's more obligation in there than encouragement.

The design will utilize the additional width and the capacity and facilitate and encourage.

The bridge serves something to the effect of -- well, the bridge is the last mile and I don't know how -- you know what level of utility there is -- well -- I'm having concerns with the extent to which this would obligate a change that we want to encourage systemically, but which may or may not be available entirely in this context.

Councilmember Disch?

>> Councilmember Disch: I'm happy to speak but I saw Mr. Fournier's hand go up right as you were speaking.

So I don't know --

>> Mayor Taylor: Probably correcting me with something, but -- [ No audio ]  
Councilmember Ramlawi.

>> Councilmember Disch: No, wait.

>> Mayor Taylor: Oh, I'm sorry.

Councilmember Disch.

>> Councilmember Disch: It seems that we're not talking about one piece of concerns that communities have raised and that is the pedestrian safety at this intersection.

So I think this amendment is trying to inject some measure of concern for making this crossing safer for pedestrians and bike commuters or travelers and I'm not sure -- I am support this amendment, but I don't think that it goes far enough because I think that these two things are conjoined but we are getting focused on one thing about the lane widening and clearly the lane widening has raised significant concerns among residents that this intersection which is already unsafe and challenging will become worse.

And so there are people who walk to the hospital and we have been building housing so people will walk to their jobs at the hospital.

And so I'm concerned that we aren't fully addressing the question whether the designs that were offered to us do as much as they can to enable pedestrians and cyclists to be as safe as possible because they use this insection to go off to the university.

Its not -- intersection to go off to the university.

I go sometimes right there, to good et cetera to the part of campus that has Palmer commons on it.

So it's not pleasant.

I don't know.

Yeah.

So I don't want to lose sight of that part of the discussion and I'm concerned that we aren't addressing the concerns about pedestrian safety at the foot of the bridge.



By the hospital.

>> Mayor Taylor: Councilmember Ramlawi, were you in the queue in Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

It's so easy to conflate things at this table and it happens too often.

You know the need here was clearly stated by the university of what the intended uses would be and that's for southbound vehicular traffic and we have heard this' an increased number of patients and visitors, not employees to the hospital.

From my experience, being in that area, thousands of times, the dangers exist as you approach the bridge, the corners, the areas surrounding the lanes of traffic. Not the lane of traffic itself.

But the intersections, the crosswalks, the lighting, the lack of visibility, all of that contributes to the lack of pedestrian safety in that area.

Restricting what that use is when we're hearing from the folks there, from what is going on, I think isn't wise.

I think you are going to work with us as best as they can.

They heard us and they heard the community and I think they will implement the safety considerations as they move forward.

I would only ask this, because we're hearing a lot of this and that, but very little information to support it.

And that is what percentage of hospital employees and patients walk from work or walk from their house to work or if they are going to the hospital to visit somebody.

Do we have any percent -- does the university have any information they can share with us, how many people actually bike or walk to work, including if possible visitors and patients?

>> Unfortunately, we don't have that number.

We have the total employees.

We have an estimate of the last four or five years for the outpatient visits but in terms of how many people bicycles or walked to their appointments to their examinations, I don't have that level of breakdown.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks.

I definitely agree with the statements around in this area, there's certainly issues at the intersection, that intersections will be coming to us in a few years from now.

After this bridge is done, and the next amendment that I will be introducing addresses that to some degree with the border to border trail and trying to improve that.

And I respect the university's comments that this is a regional destination and there's a lot of vehicular traffic that comes here and for that point, in many ways, I think it is additionally important that we throw traffic in this area because people are stressed.

They are confused and they don't know where they are going and we have a lot of vulnerable users in this area.

We know the bridges are bottlenecks and the reality is with the congestion here, there is not -- there's not the ability to take this from a four to a three-lane conversion, in the future to make additional improvements for bicycle or transit there.

What we can do, however, is look forward -- [ No audio ]

We have to think about what we want to the future travel to look like and I know the university has a carbon neutrality plan as well and is trying to reach those goals.

I understand this is an incredibly complex area and that's why I'm willing to support a widening and this is how I would like to see this space utilized in a way that's consistent with our plans.

>> Mayor Taylor: Okay Mr. Fournier.

>> You know, upon reflection, I think I will reserve comment and allow the council to continue debating.

Thank you, Mr. Mayor.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: If I'm reading this RFP, page 8 speaks to the alternative developments for this lane, and, I mean, page 8 and 9 speak to a lot of the things that we are debating here.

Yes, we are talking about slowing traffic.

Traffic is plenty slow right here.

So I'm not sure that this is necessary, this amendment.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I'm concerned that we are not talking about the trips to emergency room by E.M.S. and ambulances.

They come in from other communities and not just from Ann Arbor.

So we don't need traffic calming in the path of and ambulance.

And I really think that this one of the key elements here.

We will talk about how we will have to live by our rules for sustainability, and we forgot that we will have to approve a single-family housing unit because we couldn't change in the process and now we are trying to put the squeeze on the University of Michigan and their E.M.S. pathway.

And so I -- I really think that we need to go forward with this extra lane and leave it up to the university if they think it can be used for some future point for something other than vehicular traffic, including E.M.S. and ambulances.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: It encourages other forms of multimodal transit and car pool and bike, would it exclude designating this for emergency vehicle use.

>> Councilmember Briggs: Last time I checked E.M.S. frequent was not single occupancy.

So, I think most of those -- that would certainly -- that would certainly include that in a car pool lane.

>> Councilmember Radina: And so I just want to point out, I think that would be an interesting use of this additional lane as well to make it, you know, for emergency vehicles to have easier transport through the area.

>> Mayor Taylor: Further discussion of the amendment?  
Roll call vote, please, starting with Councilmember Briggs?

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: No.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: No.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: No.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: Further discussion of the main motion as amended.

We have Briggs back in the queue with respect to the second proposed amendment.

Councilmember Briggs moved by Briggs and seconded by Eyer.

Discussion of this second resolve clause.

Do you want to read that, Councilmember Briggs?

>> Councilmember Briggs: Maybe.

So resolve that the council directs the city administration to amendment for the east-west pathway under the east medical bridge, and the city administrator be authorized to make this amendment to the contract.

This was developed by staff at my request based on the discussion around the council table, and having a leg of the border to border trail.

So this helps to aid travel through the intersection really east-west.

It's important to remember that border to border trail here is incredibly important.

It's not as useful in terms of thinking about getting in and out of the university for the bicycle, but it's certainly critical to getting safely through that intersection.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Am I reading this wrong?

On page 8, it says the existing bridge has 10-foot wide walkway.

If possible under the existing bridge, the existing path will be widened to a final widening of 14 feet to accommodate future path connections.

Isn't that what you are asking for?

>> Councilmember Briggs: So that's -- I read it the same way that you are reading it right now.

What I was informed by Mr. Hutchinson, they were planning to wild than sidewalk to appropriate width but just under the bridge -- but just under the bridge they were not planning to design the border to border trail and so this is adding the southern connection.

>> Councilmember Hayner: But it speaks to the cross-sectional geotechnical information being collected to do just that.

I thought we were already doing that.

>> Councilmember Briggs: I will let many Hutchinson.

>> Councilmember.

>> Councilmember Briggs: S is correct.

And we wanted to make sure that that was a future path and that was included in the current -- in the current design scope.

>> Councilmember Hayner: That is not sufficient for our needs on border to border.

It says prepare three concept drawings including plan and sectional views and so on for the pathway and retaining wall.

Is this beyond that?

>> This would design --

>> Councilmember Hayner: I want the b2b to be part of it.

I already thought it kind of was when I read through this for the fifth time.

>> Yes, this additional scope that's being proposed would be to design the pathway from fuller down under the bridge, and then back up to fuller on the other side.

It ultimately, as in that portion of it wouldn't necessarily -- I guess technically, it won't technically be a connection back to the border to border trail.

There's a future concept for that, that would get across the river and connecting to the border to border trail on the north side of the river, but this -- this scope would be to have the pathway again to avoid pedestrians and bikes to have go through.

They would have the opportunity to go down underneath the bridge and back to the other side of fuller.

>> Councilmember Hayner: If I may, so I understand what has happened here, I'm looking at this drawing or where we have taken a photograph of it in the area of -- so they are saying the north end under this bridge and back up again.

So crossing over the tracks somehow?

>> No, it would the pathway would remain on the north side of the tracks.

>> Councilmember Hayner: It's one the fuller pathways.

>> Yes.

>> Councilmember Hayner: Oh, I'm sorry.

I misunderstood the scope here.

>> Mayor Taylor: Further discussion of the amend?

Councilmember Ramlawi.

>> Councilmember Ramlawi: What is the proposed costs for this resolution and what are they.

>> Associated with the proposed amendment?

>> Councilmember Ramlawi: Yeah.

>> We do not know.

We have not negotiated that with the consultant yet.

>> Councilmember Ramlawi: Okay.

I think we are throwing a lot at once here, and I'm not comfortable approving on the fly amendments to resolutions without knowing the costs.

And I quite frankly would rather know more about this, know the costs and have

other partners in this.

You know, I use the border to border trail quite a bit.

Not as often recently as I tend to do longer rides.

I travel that area using the northern side of the bridge to the northern crossings and so I just needed a little bit more familiarity as to the proposed work and the contracts associated and the costs in doing so.

I don't want to be an obstructionist, but I want to know what I'm voting on and how much it will cost.

So I can't support this.

So I would hope to support it when it's been part of a bigger conversation as to the whole system of the trail and what the costs are before voting on it.

I I'm just not -- I'm not up for writing blank checks.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I guess I have similar questions to Councilmember Ramlawi.

I'm curious since this was a project under discussion for a couple of years, I'm wondering if somebody who was part of those discussions explain possibly why this was not part of the original discussions about the bridge renovation.

I would be fearful, sort of along the lines of what my consideration said, I would be fearful that it was because of cost.

And is this why the university would be willing to participate in.

This is like a big change.

I guess I'm wondering why it was not considered before.

>> First, I want to make sure, just to clarify that the proposed amendment is just to do the design.

It's not approving any construction.

So in terms of why it was not included originally, the staff had anticipated that making the border to border trail connections would be done as part of the overall intersection improvement project in the future.

So that is why it wasn't included at this time.

If you look on -- well, it's -- in one of the attachments to the memo that was sent, it's actually on page 201 of the attachment, there is a drawing that shows a concept of the -- of an overall trail connection that would include a connection on the south side and the north side.

To make a true border to border trail connection.

That's would be considered and be included in the project when the full intersection reconstruction is done.

This is one leg of that essentially.

>> Councilmember Nelson: So what I'm hearing you -- I appreciate you helping me with my misunderstanding that this is just the design, but is this kind of asking you to reorder the project?

It sounds like you anticipated this amenity being considered later and we are asking you to consider it first.

Is there any -- is there any -- since the choice you made at first was to decide this later, is there some practical constraint happening first in the intersection and the

reconfiguration later?

>> It doesn't appear that way based on the concepts that have been developed for this in the past.

But we do have a true cost estimate for building just this leg.

The challenge that comes is a technical challenge.

On the east side of the bridge you can get down to grade without too much difficulty to get under the bridge but on the other side, you have a very short span to get back up fuller.

So there would have to be some kind of switchback in order to get back up fuller in an A.D.A. compliant manner.

If we have the consultant come up with a design and a cost estimate for what it would cost to do that which we don't have.

>> Councilmember Nelson: I was in conversations -- you know, I think I can support this amendment if it's literally a design plan, I would like forward to seeing a design.

>> Mayor Taylor: Further discussion of the amendment?

Roll call vote, please.

Starting with Councilmember Briggs.

>> Councilmember Briggs: Yes.

Yes.

>> Councilmember Ramlawi: No.

I'm sorry.

No.

I said no.

Sorry.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: Thank you.

Further discussion of the main amendment -- Ms. Beaudry, there were number of instances -- you may have an audible issue on your end technically,

Ms. Beaudry.

There was -- I heard a number of councilmembers vote after you apparently did not.

So note.

>> Councilmember Hayner: Thank you.

I just want this bridge to be we paired.

I said yes if this is the only way to get this b2b design on this.

I share Councilmember Ramlawi's concerns about the cost of this.

I will just make the assumption that we do have the money in the street, bridge and sidewalk.

Now, one concern I do have about this is that the redesign points to the ten-year storm gutter sizes and I'm a firm believer that stormwater management will be something that we have regretted neglecting so long for as community and it's so late to change that, but I just wanted to express my public concerns about stormwater management.

We have pavement, and I know it's close to the river and so whatever happens will end up in the river anyway.

I fear that ten-year storm -- for the ten-year storm will not be sufficient.

I know they are in front of my house.

And I just wanted to express that and say, let's get out of fixing this bridge and I appreciate the university hanging in there with us.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I'm enthusiastic for this bridge to be repaired and look forward to it getting it back as being described as failing or near failing.

I think it's important to move this forward and bring it back up to the standards that we would expect and so I also just wanted to thank Councilmember Briggs for her hard work to make this a better project and look forward to getting this completed.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I appreciate the ability to have this conversation again at this gable you know, no one wants a bridge to fail anywhere in the city, especially near the medical center so I think what is important is we remember that these conversations are looking out for a lot of the employees at the hospital and students and others in our communities, you know, including those that are parking along all of those new parking structures that, you know, many of them are not bussing.

They are walking.

And I went to school with a number of students who lived in that area and walked up to the medical and adjacent campuses.

And so I would say, actually, that we do want to make sure that cars moving at fast speeds are doing so, like, ambulances in a way that's really safe and increases their awareness of those who are around them.

So I just -- I appreciate the work that Councilmember Briggs did.

I appreciate the additional work that staff did in trying to make this a better project and as we move forward, these connections have -- people in our community have been advocating for decades to fix these connections.

It is actually council policy by resolution that when we fix the intersection and this is awfully close to the intersection of bridge, that we fix those connections to the border-to-border trail and that that be included.

And personally, looking at, you know, community engagement around -- to slightly segue into our next -- you know, community engagement around federal

funding something like this could be a candidate for that, putting together some critical connections.

I was so happy to celebrate with everyone and to really present stuff on the vandy mere and I think we would see similar enthusiasm for trying to address this critical connection as well.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I wanted to say again thanks for all of staff's extra time over the last month.

I recognize this have been years of work going into getting us to this point and it's important given the condition of the bridge that we are moving in order with it. One the things that has changed since this project is developing is we have some new plans that we have adopted and I wanted to make sure that we are aligning those.

But thank you to the very hard work of staff on this.

>> Councilmember Ramlawi: I apologize to everyone who thought this was going to be a short meeting.

I appreciate the university being here a second time.

There were some slight changes made in September, but I think in totality effectively nothing has changed.

I appreciate the conversation but when it comes to tangible realized gains, maybe I missed something, but I didn't experience any significant, seismic change with anything, with all due respect.

When it comes to the border to border trail system, this particular hear has been incorporated now with the second resolve amendment just confuses me.

I have ridden the trail for thousands of miles.

Hundreds, maybe thousands of times.

You would suggest there are many connections that could be made as you go east on fuller from maiden lane.

The connection doesn't have to be made in the most complicated traversed area around.

The trail system, there are many connections.

We heard from nick Hutchinson about the grade issue you know that's a very steep hill at Katherine.

Some people have to get off their bikes and walk it.

I don't know how you will do an A.D. ax compliant ramp on the other side of that area, but, you know, I guess we will see and hopefully --

>> Mayor Taylor: Councilmember.

>> Councilmember Ramlawi: Something comes forward.

>> Mayor Taylor: Further discussion of the main motion as amended?

Roll call vote, please, starting with Councilmember Briggs?

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold.



Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: DC-2, Resolution to Direct Public Engagement and Final Recommendation for the Use of Federal ARP Funds.

Moved by:

Councilmember Disch seconded by Grand.

Discussion, please, of DC-2.

Council member Ramlawi.

>> Councilmember Ramlawi: The screen keeps moving on me.

I appreciate this being brought forward as the author of the original resolution asking for this prescription.

I am highly concerned with the public feedback opportunity and the deadline that's being placed on this resolution of I think December 6<sup>th</sup>, which is less than two months away.

Maybe two council meetings or three, and the proposal to spend over \$24 million. There was referenced made to the county's initiatives and the county's outreach and the extensive nature of it, in that the at the was hoping to emulate those same outreach to better understand the community's desires.

I feel that December 6<sup>th</sup> deadline is far premature to have a robust community engagement process in this.

I would like to know what that process would be given that December 6<sup>th</sup> deadline.

>> Well, as you know, Councilmember Ramlawi, we have outreach toolkit that we take advantage of.

We responded to it and one of the council questions that we received we had envisioned perhaps some digital town halls and online survey tool and some opportunities for residents to review the proposal, provide us their prioritization, also make suggestions for additional projects and then staff would review that and bring that back to the council.

If there's concern about the timeline being too tight, we could always amend the resolution to push the deadline back into January or something like that.

Think that I that might be better.

>> Councilmember Ramlawi: Yes, that was coming next later.

I wanted to listen to what colleagues have to say and yourself as well.

I appreciate this prefix tool box but with this unprecedented amounts of money, and the reference to the county's engagement, I was hoping that there would be something more original than just the routine tool box being applied to -- to this engagement process.

>> Are you asking --

>> Councilmember Ramlawi: Is there anything outside of the routine tool box.  
>> Outside of the opportunity to meet with residents face to face and survey tools.

>> Councilmember Ramlawi: It was just reference to the county's efforts.

What did the county do?

Is that all that they did.

Did.

>> The county did a series of town halls and online engagement tool.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Quick question, is -- is there a deadline outside of our self-imposed deadline of December 6<sup>th</sup>?

>> The money needs to be incurred by December 31<sup>st</sup>, 2024 and it needs to be totally spent by 2026.

So some of these projects are larger than others.

They will take time to administer but at the end of the day we have five years to spend this money.

>> Councilmember Hayner: Okay.

Thanks.

And my understanding is we have -- I'm rounding off here we have \$24 million coming to us, but that it had been suggested I don't know if it was internally that \$60 million will be applied to the shortfall and so this \$8 million difference is what we are discussing spending and yet we have a document that speaks about \$42 million of requests.

Is that an accurate assessment of what we are looking at here?

>> No, we get \$24.2 million from the federal government.

We have received half of had already.

We receive the other half next year.

And the way that you use the money, as defined in the federal regulations, there's a -- an equation that you use to estimate your revenue loss will be over a four fiscal year period.

And that total amount of that revenue loss can be set aside and used really for any general governmental purpose.

And so it's not accurate to say that we would be using that to backfill the budget.

We would be able to use that for any general governmental purpose, the remaining funds have to be used in specific ways that are related to promoting public health or providing economic aid to the community.

>> Councilmember Hayner: So can I request a copy from someone of the rules for this money?

That would really help me understand and answer questions from constituents.

And so this -- it's not really a budget shortfall.

That was the anticipated budget shortfall and we can choose to put this money in the general fund to then, you know, make up that difference or act on other projects so, you know, things get shuffled around a little, right.

>> I wouldn't call it a budget shortfall, but a revenue shortfall.

>> Councilmember Hayner: That's what I meant.

Okay.

I have some more.

I will save it.

Thank you.

So I can get a copy that.

>> It's available online.

>> Councilmember Hayner: What the official title.

>> I can't remember off the top of my head but we can send it along.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I'm really excited about this.

A number of us participated in the city's town halls back in August and we were able to see the county allocate \$27.7 million across the county in very specific ways through the community engagement and the town halls and really reaching a diverse representation as well as going through an evaluation with their office of racial equity.

So I have been closely following the federal relief budget bill last year.

I'm eager to see this because of republicans.

And so we owe this allotment to address funding gaps for essential services and serving communities in our city that are most likely impacted by the pandemic.

These are very specific uses for this money.

The county already had the town halls and for the first tranche of federal dollars, prioritizing vaccines and revenue shortfalls and child care and rural net access and weatherization and child savings accounts.

I have asked Mr. Fournier to consider programs that would align with these investments.

I'm pleased that staff is proposing recovery dollars for three areas that I have been working with the community on.

Those include unarmed crisis response, a pilot for universal basic income and additional dollars for social service agencies that have been really struggling to fund raise in this economy and struggling with the timing of our new city county grant process.

We are a city of researchers.

And nonprofit workers who can speak to the long-term impacts these efforts can make here.

You have seen the similar work demonstrated?

For the U.B.I. project, I want to join, Richmond, Oakland, Pittsburgh, Atlanta, Newark and Durham, I think this will give much needed relief to our community and I look forward to advocating for three if not more of these menu of options.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I want to thank the staff for pulling these together.

I will echo some concerns around the time for public feedback.

I want to make sure we have opportunities for robust public feedback, particularly that we are coming to this process with recommendations already laid out, and knowing that that kind of sets the tone for the feedback that we will get.

I would be interested to hear from the public to see if there are things that we are

missing or not thinking of.

One of those came up tonight that would clearly fall within the guidelines around adding public restrooms to downtown and other parts the community that clearly falls within the function of the public health component.

I guess I have a question for staff which is that in this process in respect to the request that we will reallocate some of these dollars and not start talking about it before staff had an opportunity to come back with some of the bigger items that they felt could have impact.

You know, I didn't come in with a lot of ideas.

I guess what is the best way for council also to provide feedback on the proposals that came forward.

We would assume that there would be feedback directly from councilmembers and I think the best way for council to provide that feedback is communicate it directly to me.

I assume there will be other departmental requests that come forward over time as more work is done as well.

So I view this as a living document and it will be an iterative process to get to \$24.2 million.

>> Councilmember Radina: In the third ward we had some pretty significant stormwater flooding in some of the neighborhoods.

This is something that I spoke with councilwoman Griswold about over the weekend.

I wonder to the extent -- I saw that sewer and water related items.

I wonder how flexible that is.

Would stormwater improvements fall into it?

>> I believe it would.

I believe off the top of my head that the law generally allows for the use of water infrastructure broadly defined.

>> Councilmember Radina: Thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes, I submitted an email this morning asking that this agenda item be introduced and some questions be answered.

If that's already provided in writing, I'm not aware of that.

So is it?

>> Thank you councilmember for the reminder.

Let me bring up your email and I will address your questions.

>> Councilmember Griswold: Okay.

I thought maybe it was lost.

And while you are doing that, I have a couple of process questions.

I was waiting to be informed that was time for feedback but I guess I have been more proactive rather than waiting to be told by staff now is the time.

I'm also concerned about O.M.A. violations if we don't have an open meeting, a working session where we can discuss this in a transparent manner.

I think that given that we haven't started the process yet, compared to the county, there's also already a public perception that things are moving forward in a

non-transparent manner.

I want to make sure that we correct that.

>>> Thank you, councilmember.

If it's council's wish to have this scheduled as a work study session.

I think that might be an appropriate recommendation to this resolution.

In terms of an invitation to councilmembers' feedback, I think we have a long process in front of us and the intention of process in front of us is to solicit that type of feedback.

And so I think we are very much at the beginning of deciding how these funds will be allocated and, of course, the -- you know, the final plan and the contents of it are at the sole and exclusive decision of this council so.

I would expect that councilmembers would have a lot of feedback for the priority.

So I do have your agenda questions what council resolutions are approved A2Zero did we rely on?

You notice that we attempted to prioritize transportation projects.

Such as the Mark Katherine bike lane and the A2Zero plan with various updates across the -- or excuse me the vision zero plan.

We relied on the city counsel's general direction to support affordable housing and also to support the A2Zero plan.

So, you know, as staff considered what to include on the prioritization, we looked towards those issues which I think have received quite a bit of attention from the city council and have certainly been endorsed by specific resolutions.

I can't reference them off the top of my head but I'm happy to provide them to the council.

>> Councilmember Griswold: Excuse me.

I didn't mean for this to be a real lengthy discussion or you to but them.

If you want to cross-reference these with our initiatives at a later date prior to our work session or study group, that's fine.

>> Certainly.

>> Councilmember Griswold: I thought maybe you had a piece of paper and you could just share it.

Thanks.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I want to thank Councilmember Radina for clarifying the process of what was some months that these recommendations would be derived from staff and council was directed not to pre-promise funds or get big ideas but to wait for a response from staff and I want to thank my colleagues for their honesty in admitting where some of these ideas originated.

And so I look forward to a work session.

I think that needs to be the first step.

When I saw these recommendations I was intrigued at how staff would have derived them based on our city plans and our city goals.

At any rate, before admissions tonight, I was thinking that a work session would be a matter of power points and presentations about how these were originated.

There was a pretty dramatic change in leadership direction in the last couple of

months.

It was clearly communicated to council that this was not a grab bag or -- at any rate, I -- I urge us to schedule a work session.

I would like to guide our conversation right now in terms of looking at calendars to schedule a work session so we can have a public discussion of these ideas as I parse through the recommendations and tried to share them with my constituents I got a lot of feedback people who were quite alarmed at projects that seemed very strange and disconnected from the original goal.

[ no audio ]

>> So that the public can have a real opportunity to understand all of these proposals.

Thanks.

>> Mayor Taylor: Thank you.

>> Councilmember Hayner: I would like to move to amend the final resolve clause to say that the spending plan for A.R.P. dollars, the final report for prioritization should come back no later than March 1<sup>st</sup>, 2022.

>> Mayor Taylor: Is there a second seconded by Councilmember Ramlawi. Mr. Fournier, is that a practical timetable?

>> It's completely at the discretion of the council.

We can make that work.

>> Councilmember Hayner: I can speak to why I suggest that.

>> Mayor Taylor: Is that friendly to the body.

Is that a no, Mr. Ramlawi?

>> Councilmember Ramlawi: Maybe I will offer an amendment to the amendment after a bit of discussion, thank you.

>> Councilmember Ramlawi: It's currently friendly.

>> Mayor Taylor: It's friendly to the body.

Thank you, March 1<sup>st</sup>.

>> Councilmember Hayner: Yes, if I may, I only suggested that.

We need a more robust opportunity and I picked that date out this because it's prior to our next budget conversation, our holistic budget conversation.

So I'm certainly up for anyone suggesting a better date than that.

That's something that I was looking through my calendar here.

So thank you for your support of that.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thanks.

I appreciate staff's report on pulling together a list of potential projects for this.

This is obviously so much need and it's great to have a lost funding to work with but not nearly as much as we would like.

So I also support the idea of work session so we can learn a little bit more about what went into each of these and also just going a little bit more into depth in terms of talking through the -- how the can be used.

The Councilmember Hayner's question, the October 1<sup>st</sup> memo we received has a link for the interim rule if you are looking for how the funds can be used, there's a link to it.

And I think that's all for me.

Thank you.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I have no authority over staff to make any demands on how funding is allocated.

I had all righted and shared information that I had come across as follow-up to what I had seen happening across the country, what has happening within our community hearing directly from social service agencies that are really struggling. When I approached staff to consider looking into this, I said by all means say no if this doesn't fit within other priority.

Perhaps it's a misunderstanding on my part on submitting -- [ No audio ]

The ideas that aren't even innovative would it be too contested at this table, considering that we have folks at the poverty solutions center here that the director just gave a congressional hearing and pandemic relief programs. These discussions are already happening in the community and I look for it to further them and should any of the three that I would love to see in our community not be supported by the community, then that's how community engagement works as we have seen already at the county level.

I want to clarify that there's no schemes on federal money.

I think what has been presented in collaboration with staff are hopefully not uninformed or unwanted in the community.

But we will see.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah, I -- well, I will try to stay on topic here.

I appreciate my colleague's consideration in extending report table to March 1<sup>st</sup>. I think it gives the opportunity for not just the residents and our constituents but also us to look at more clearer with greater understanding and understand the genesis of these funds and who are are they intended, the economic impact of COVID 1.

That's -- that's who the targeted audience is here.

People living in poverty, people losing their homes, people losing their jobs, people losing their businesses.

It's not a wish list for councilmembers and others to get projects and initiatives that would otherwise not be possible done.

This is to get to the most marginalized people in our community.

I would also ask that we have a work session within 30 days.

I don't know if it being be added here as an amendment to the amendment.

That we have a work study within 30 days of having that report, the final recommendations.

Prior to the adoption of our fiscal year '23 budget.

I know we have a lot of meetings in the spring, but I think \$23 million.

>> Mayor Taylor: I think at the administration committee, we can figure out a day for the meeting.

Mr. Fournier?

>> Yes, the interim federal rule is a long document.

We have had several members of staff read it in its entirety.

I want the council to be aware that a portion of the funds are definitely intended for public health expenditure, and for economic benefit and the interim final rule talks that it should be for communities of need and communities adversely affected by the pandemic.

There's no doubt about that, but it is also true that these federal funds are intended to stimulate economic activity in your community and they are, in fact, intended to be partially spent on infrastructure improvements.

And so if it is the desire of the council to direct all the money towards the public health and economic aid used authorized under federal aid.

That is the council's discretion.

In the council wants to do staff will dutifully administer those funds however the council directs us to do so.

I want it to be noted that infrastructure projects are allowed encouraged under the federal rule, where it's a prior for President Biden and Congress and that was our reliance on that guidance in the federal rule that led us to make some of the recommendations within the memo.

I think that's important for the council to keep in mind as you -- [ no audio ]

>> Councilmember Grand: I wanted to clarify something to the public.

I know I'm probably not the only ones -- well, don't on this thing tomorrow.

Well, yesterday.

But so -- so this is a really great step.

Staff looked at what type of projects would be possible.

The community engagement process is already happening.

When we get emails and see conversations saying wait we might not want this money going for the police.

We are receiving that feedback already.

What is not helpful -- I think it was great that we are extending this timeline so that we can really have more of those conversations and involved as many people as possible.

I appreciate Mr. Fournier's expertise on this matter.

I know he understands this funding deeply.

So that clarification was incredibly helpful.

Thank you.

What is not helpful is accusing one another of some sort of backroom dealing or undue influence.

When it's one, not true.

>> Councilmember Ramlawi: Point of order.

>> Councilmember Grand: And two.

>> Mayor Taylor: The point of order.

>> Councilmember Ramlawi: It's just -- you are calling into question motives of --

>> Councilmember Grand: Call the kettle black!

>> Mayor Taylor: The text of what she says makes it plain.

>> Councilmember Ramlawi: I haven't slept much.



>> Mayor Taylor: It's plain and obvious.

I'm looking to the community conversations and us working together because this money I hope will have an impact on both those who are impacted and some projects that can really add a lot to the quality of life and safety of our community.

>> Mayor Taylor: Councilmember Hayner, I have you as spoken twice already on the main motion.

>> Councilmember Hayner: Yeah, okay.

I thought maybe it was my amendment.

If you are telling me I did that incorrectly.

>> Councilmember Hayner: I was just going to be brief and thank Mr. Fournier for his speaking to that.

I dug up the treasury department's page around the interim final rule and it speaks pretty directly to what we are talking about and I think it would be worth taking a look at what the treasury department says and it says it can be used to make necessary investments in various infrastructures.

And so they will these will be spread pretty thin by the time we are done, but let's pass this with the extended dead line and get on with it.

I don't approve all the things that are in the suggestion but clearly they are not all going to make it and that's a good thing.

>> Mayor Taylor: Further discussion?

I guess I will say that I am very grateful to staff having done a lot of work and strategic improvements in our infrastructure.

And I appreciate that the bulk of the proposals are infrastructure related.

I understand that infrastructure is not everything and there's some programmatic human service focus providing elements to the proposed set of options, and you know, I'm grateful for the work that staff has done.

Their time frame was fairly short.

The regulations did not come for sometime and bottom line, we asked staff to do something and they did it pronto and did it well.

So they have my thanks jointly and severally.

Further discussion?

All in favor?

As opposed?

It is approved.

Mr. Postema, do we have the pleasure of a closed session today?

>> City Atty. Postema: Not tonight, mayor.

>> Mayor Taylor: Alas.

We have before us the clerk's report of communications, petitions and referrals.

May I have a motion to approve the clerk's report, moved by Disch and seconded by Hayner.

Discussion of the clerk's report.

All in favor?

Opposed?

Mr. Postema do we have the pleasure of communications from the city attorney?

>> City Atty. Postema: Not tonight, mayor.

>> Mayor Taylor: Oh, the more the pity.

We come to general public comment.

To me art public comment general time, you need not sign up.

Call 877-853-5247.

877-853-5247.

Once entered enter meeting I.D. 94212732148.

942127372148.

Once you are connected further, please enter star nine.

Star nine to indicate that you wish to speak.

Our clerk will identify you by the last three digits of your telephone number when it is your turn to speak.

When it is your turn to speak, you have three minutes in which to speak.

Please pay close attention to the time.

Your clerk will notify you when 30 seconds is remaining.

When your time is expired please cede the floor.

Is there anyone who would like to speak at public comment?

>> Clerk Beaudry: Michele Hughes.

>> I'm calling to say that I am glad that the concord pines project served as' wake-up call to some of the councilmembers because, you know, I heard people saying that more dense housing is more affordable.

And I heard people saying that more dense housing is better at protecting natural features.

I heard people saying that more dense housing is a boon to walkability, and these are the things that I'm excited to hear people saying.

I think it's unfortunate that we are continuing to require the single family zoning, and the single-family housing that we got the project that we did at concord pines because that was the project that was required by law to happen.

This we could have had a better project but the law said that we had -- that this is what we wanted.

And so I hope that we are able to change that law and I heard some councilmembers say that that's what we want to do.

We want to allow more dense housing and I hope that comes to pass.

And thank you very much.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Anne Bannister.

Go ahead.

[ Garbled audio ]

>> That memo has existed for years and then -- [ Garbled audio ]

>> Clerk Beaudry: 30 seconds.

[ Garbled audio ]

>> Mayor Taylor: Thank you.

>> Councilmember Hayner: Am I the only one?

I couldn't hear a word she was saying.

Is it me?

[ No audio ]

>> Clerk Beaudry: Mayor, could you not hear the caller?

>> Mayor Taylor: I got some of it.

>> Was I not audible?

I can give my statement again if --

[ Inaudible ]

>> Mayor Taylor: I understood a fair bit of it, but maybe other councilmembers didn't.

If it's in writing, distribute it, perhaps.

Call from a different number.

>> Okay.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 534, press star six to unmute your phone.

>> Good evening, this is Tom Stulberg again calling from lower town.

Something I have talked about a lot in the past, had to do with proper process and public engagement, and that will share a theme this evening in your conversations, I would like to cover that on a couple of different items.

In terms of reference to the A2Zero and certain things that were specified in there in terms of higher density, I would like to thank councilmember Kathy Griswold in particular for revising a certain page and we ended one an unanimously approved A2Zero and the problem with the original a version of that was that the solution dictated within the a2 steer row was too specific -- A2Zero, predetermining an outcome with the land use plan update that would be required. So you are essentially bypassing the public input that's required for a master plan process, excuse me, a comprehensive land use revision process that the way it was originally worded.

And the way it was revised allowed for the same outcome without specifying it right in the document so it was a possible outcome but we needed to have the community conversation first.

If we bypass our community -- excuse me, our comprehensive land use plan process, which we have done multiple times, we end up with problematic outcomes.

Speaking of process and outcomes, I would like to thank staff for working with the residents in the sunset area on the sidewalk proposal that was problematic and they have taken a moment to pause and look at a holistic approach.

We will have a better process.

It looked public engagement else in town on the north side and there was a moment there for a similar pause and relooking at a holistic approach and engaging the public properly in that one.

>> Clerk Beaudry: 30 seconds.

>> That pause was not taken and it came to a problematic outcome.

The residents were then cut out of the process.

So let's keep our residents engaged.

Will he's follow the proper processes and we will come out with much better outcome in we do that.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number 194.

>> Hello, can you hear me?

>> Yes, we can.

>> This is Rita Mitchell calling.

I am just calling in great sadness and morning for the 311 land park trees that will be removed for the Concordia development and the additional small trees that will be removed.

The 1700 replacement trees at 3 inches of diameter will not provide the level of carbon sequestration that the trees that will be removed have done for years and years.

We humans have not developed anything close to the carbon sequestration effects that are provided for us by trees for free.

And I'm just beyond sad, actually to know that this is happening in our city, the tree city.

The mitigate fee doesn't come close to covering that and I'm concerned about the wildlife of great and small sizes that will be affected by this.

We will see something that will be a marker of their being disrupted and the last thing I want to mention is I don't recall a discussion tonight of the wetlands in the area but I'm concerned about the slope of the property that likely will affect the wetlands by the runoff from what is likely to be landscaped turf grass in an area that has been a woodland.

And that will be a further degradation ultimately the Huron River.

I'm sorry to see this and I understand your votes tonight and I just want to pass on my concern for us all with this the effect that this development will have on it.

Thank you.

Bye.

>> Mayor Taylor: Thank you.

Is there anyone else who would like to speak at public comment?

>> Clerk Beaudry: There's a couple of other callers on the line, but they don't have their hands up.

>> Mayor Taylor: If you would like to speak at public comment, please enter star nine now.

Seeing no one, public comment is closed.

There communications today from council?

Councilmember Hayner.

>> Councilmember Hayner: My complaint about this concord pines project was not primarily focused on the single-family home nature of the project, all that is certainly a problem as we seek new constructions in the city.

If a builder would forgo \$20,000 worth of profit per year on a \$700,000 single family home or say two -- \$200,000 total profit on a \$27 million profit that they are making on this project to create houses that were all electric, shared combined geothermal shield and were outfitted with solar, not the future solar, which is being restricted, I wouldn't have a problem with these houses.

My problem with the single family housing being built is that it doesn't meet our climate action goals and it will still be standing in 2030.

If we think it's cheaper -- I'm a field guy.

I do this stuff for a living.

And if you think it's cheaper to retrofit a house than it is to build it right now, then you are sorely mistaken and you don't know the reality on the ground.

And if we pretend like it's cheaper to do it then than now, it's just so wrong and every building and every house that is built that doesn't meet our climate action goals dilutes and spreads the burden on to everyone else.

And that's the last thing we should be doing as a community.

So everyone is trying to build their credentials, but no one wants to put an end to this development.

It's painful, I know, especially when they are writing checks to campaigns.

At some point you have to face up to it.

>> Mayor Taylor: Councilmember?

Councilmember Griswold?

>> Councilmember Griswold: Thank you.

I want to give some background around pedestrian deaths in crosswalks that I had begged the city to improve.

Starting with Plymouth road.

I set in many transportation safety committee meetings where people from the mosque came and begged the city to make improvements.

Improvements were not made.

Two students were killed after dark crossing Plymouth road and then improvements were made.

I begged the city to provide lighting they crosswalk between Gallup park and Huron high school.

On October 25<sup>th</sup>, 2016, a student was killed.

Then the city provided lighting and improved the crosswalk.

I repeatedly asked for improved lighting near Thayer.

January 1<sup>st</sup>, 2019, a student was seriously injured and was hospitalized for many weeks.

Today October of 2021, the R.R.F.B.s are working.

I think they were repaired either early this morning or over the weekend.

So if people wonder why I get emotional, I have known some of these people would have been killed and in all cases we knew what the problem was and we did nothing.

Regarding A2Zero, I have amended it twice.

I replaced the word "quad plex" which was an example of density, with the term density, which is much more appropriate for a policy statement.

Lastly, I will be in Berkeley next Monday.

Learning how they were able to successfully work with the University of California on a number offish issues and I'm hoping that we can do the same thing with the University of Michigan regarding workforce housing and additional pedestrian safety improvements is.

Thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I'm happy to have so much discussion tonight about the conflict between our sustainability goals and many of the development projects that we receive open planning commission and have to forward to council or approve simply on planning commission.

We receive and have had to approve a number of development proposals that are not electric, that are bringing fossil fuel infrastructure into our city that will have to be retrofitted or will just have to, you know, make it all the more difficult for us to meet our goals.

We are not -- we are constrained by the state's building code from requiring electric development.

We are constrained by the state's building code from requiring heat pumps.

Sometimes we can encourage these and sometimes developers comply.

It's not a matter of lack of will.

We are not in a progressive state.

This is not California.

Yet, we should be working as hard as we can to change these laws at the legislature, but let's make factual statements about why the proposals look like they do.

They look like they do, because of what we have control over and the state law constrains what we can require and that is a long road.

>> Mayor Taylor: Council member song.

>> Councilmember Song: We had an interesting city schools committee meeting earlier this month and I'm really heartened to hear from -- after watching the last school board meeting to hear that there's some bussing issues that will be addressed.

We have been hearing from constituents for buses to arrive or not arrive at all.

I have been heartened to hear that there will be more intensive hiring from benefits.

We need 10 to 15 more bus drivers, school bus drivers and those notices are up and the search is ongoing.

I was really glad to hear that there was consideration for smaller vehicles.

So, you know, best of luck to the schools, you know, the labor shortage is real and our children are trying to figure out what walking to school will be in the next couple of weeks.

I'm glad to hear that there's some innovative solutions being presented and the school continues to work with the city staff to where we can prioritize the crossing guards too.

So thanks.

>> Mayor Taylor: Further communication from council?

May I have a motion to adjourn, please.

Moved by Griswold and seconded by Disch.

All in favor?

Opposed?

We are adjourned.