

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Final

Monday, October 4, 2021

7:00 PM

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

Electronic Meeting

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

City Council

Enter Meeting ID ~~942 1273~~ 2148

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:03 p.m. in accordance with State and local health orders.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

All participating remotely from the City of Ann Arbor, Washtenaw County, Michigan.

Present: 11 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

APPROVAL OF AGENDA

City Clerk Jacqueline Beaudry noted that DC-5 was added late to the agenda with the necessary number of sponsors.

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 [21-1738](#) Agenda Response Memo and eComments - October 4, 2021

Received and Filed

AC-2 [21-1740](#) Response to Council Resolution R-21-215 - Resolution to Recommend and Prioritize the Allocation of the State and Local Fiscal Recovery Funds
Received and Filed

AC-3 [21-1741](#) City Administrator's Report - October 4, 2021
Received and Filed

INT INTRODUCTIONS

INT-1 [21-1644](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update
Dr. Lisa Jackson, Chair of the Independent Community Police Oversight Commission, gave her monthly update to City Council. She spoke about the relationship between the trans community and the Police Department and urged anyone willing to share their story to reach out to her directly.
Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

1. Edward Vielmetti - Resolution to Amend Council Rule 7 (DC-1)

Edward Vielmetti, resident, spoke about the current City Council Rules regarding public commentary. He stated the Rules are anti-democratic.

2. Ralph McKee - Resolution to Acknowledge Roger Rayle for Public Service (DC-3)

Ralph McKee, resident, spoke in support of DC-3, regarding a resolution to acknowledge the work of Roger Rayle.

**3. Anne Bannister - Resolution to Acknowledge Roger Rayle for Public Service (DC-3)
Communication from Environmental Commission Regarding Drinking Water (E-4)**

Anne Bannister, former Ward One Councilmember, spoke in support of DC-3, regarding a resolution to acknowledge the work of Roger Rayle.

4. **Tom Stulberg - Resolution to Acknowledge Roger Rayle for Public Service (DC-3)
Resolution to Approve Agreement Between City of Ann Arbor and Washtenaw County
for Bandemer-Barton Trail (DC-4)
Communication from Environmental Commission Regarding Drinking Water (E-4)**

Tom Stulberg, resident, spoke in support of DC-3, regarding a resolution to acknowledge the work of Roger Rayle. He also spoke about the proposed agreement with Washtenaw County regarding the Bandemer-Barton Trail.

5. **Daniel Adams - City's Decision to Delay Newport and Sunset Sidewalk Project**

Daniel Adams, resident, stated he is disappointed in the City's decision to delay the Newport and Sunset sidewalk project. He stated this was a short-sighted decision.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SONG

Councilmember Song spoke about Afghan refugees settling in Ann Arbor. She urged the community to support their new neighbors.

COUNCILMEMBER RADINA

Councilmember Radina provided an update regarding the new Renter's Commission. He stated staff is working on the details, including the application process. He stated more information on the Commission would be coming soon.

Councilmember Radina also stated he would be requesting a Closed Session for later in the meeting to discuss a personnel matter.

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about a recent pedestrian/vehicle crash near the Farmer's Market.

MC COMMUNICATIONS FROM THE MAYOR

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

Mayor Taylor requested confirmation of the following appointment that was presented to City Council for consideration at the September 20, 2021 regular session of Council:

Economic Development Corporation Board

*Larry Eiler-Partial Term
4712 Breezewood Ct.
Ann Arbor, MI 48103
Term: Ending May 31, 2027*

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

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-5 Resolution to Approve a Construction Contract with Granite Inliner, LLC for the Nichols Arboretum Sanitary Sewer Lining Project (\$1,734,293.00) (ITB 4686)

Passed on consent agenda

A motion was made by Councilmember Nelson, seconded by Councilmember Grand, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-6.

CA-1 21-1555 Enactment No: R-21-366 Approved

Resolution to Approve a Purchase Order to AmeriNet of Michigan, Inc. for a 3-Year Network Equipment Maintenance and Software Support Agreement for FY2022-FY2024 (\$260,573.15) (GSA Schedule IT 70 - GS-35F-0511T)

CA-2 21-1591 Enactment No: R-21-367 Approved

Resolution to Approve a Purchase Order to AmeriNet of Michigan, Inc. for the Purchase of Networking Equipment, Software and Related Services to Replace Legacy Data Center equipment and upgrade the City's Data Center Network to a Fabric Connected Network (\$106,569.35) (GSA Schedule IT 70 - GS-35F-0511T)

CA-3 21-1578 Enactment No: R-21-368 Approved

Resolution to Approve Purchase of Storage Area Network (SAN) from CDW Government, LLC with Related Financing Through Pure Storage Finance (\$844,598.00)

CA-4 21-1590 Enactment No: R-21-369 Approved

Resolution to Approve the Attached Quote with CDW Government, LLC for Renewal of Adobe Subscription Licenses and Related Services (\$33,507.53)

CA-6 21-1635 Enactment No: R-21-370 Approved

Resolution to Accept an Easement for Public Right-of-Way from Traver Lakes Community Maintenance Association **(8 Votes Required)**

CA-7 21-1703 Enactment No: R-21-371 Approved

Resolution to Temporarily Relocate Precincts 3-6 and 3-9 from Scarlett Middle School, 3300 Lorraine, to Mitchell Elementary School, 3550 Pittsview Drive, for the City Special Election on Tuesday, November 2, 2021

CA-8 21-0845 Enactment No: R-21-372 Approved

Resolution to Assess Certain Delinquent Municipal Utility Charges as a Tax and Ordering Collection Thereof

CA-9 21-1601 Enactment No: R-21-373 Approved

Resolution Levying Certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

CA-10 21-1709 Enactment No: R-21-374 Approved

Resolution to Approve Participating Establishments in the Main Street Social District

CA-5 21-1561 Enactment No: R-21-375 Approved

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

Resolution to Approve a Construction Contract with Granite Inliner, LLC for the Nichols Arboretum Sanitary Sewer Lining Project (\$1,734,293.00) (ITB 4686)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

A APPROVAL OF COUNCIL MINUTES

A-1 [21-1699](#) Special and Work Session of September 13 and Regular Session Meeting Minutes of September 20, 2021

A motion was made by Councilmember Hayner, seconded by Councilmember Disch, that the Special and Work Session of September 13 and Regular Session Meeting Minutes of September 20, 2021 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C-1 [21-1651](#) An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor (ORD-21-30)

A motion was made by Councilmember Disch, seconded by Councilmember Song, that the Ordinance be approved on First Reading and should be returned by 10/18/2021. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 21-0970 Enactment No: R-21-376 Approved

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

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

Resolution to Approve Amendment to the Council Rule 7

DC-2 21-1648 Enactment No:

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

Resolution to Appoint Paul Krutko to the Economic Development Corporation Board (7 Votes Required)

21-1648 Enactment No: Postponed

A motion was made by Councilmember Ramlawi, seconded by Councilmember Nelson, that the Resolution be postponed until October 18, 2021. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 8 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Resolution to Appoint Paul Krutko to the Economic Development Corporation Board (7 Votes Required)

21-1648 Enactment No: R-21-377 Approved

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

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

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

Nays: 2 - Councilmember Hayner and Councilmember Griswold

Resolution to Appoint Paul Krutko to the Economic Development Corporation Board (7 Votes Required)

DC New Business - Council:

DC-3 21-1720 Enactment No: R-21-378 Approved

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

Resolution to Acknowledge and Commend Roger Rayle and the Coalition for Action on Remediation of Dioxane (CARD) for Longstanding Public Service to Monitor and Protect Residents of Ann Arbor from Exposure to Harmful Chemicals in Ann Arbor Freshwater Sources

DC-4 21-1705 Enactment No: R-21-379 Approved

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

Resolution to Approve an Agreement between the City of Ann Arbor and Washtenaw County Regarding Responsibilities and Cost Allocation for Design and Engineering Services for the Bandemer-Barton Trail Connection Project

DC-5 21-1743 Enactment No:

A motion was made by Councilmember Nelson, seconded by Councilmember Ramlawi, that the Resolution be approved.

Resolution Regarding Independent Investigation and Placement of Acting City Administrator on Paid Administrative Leave

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Radina, seconded by Councilmember Grand, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss personnel matters and attorney/client privileged communication, as set forth in MCLA 15.268 (a) and (h). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:35 p.m.:

Yeas: 11 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Radina, seconded by Councilmember Briggs, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 11:34 p.m.

21-1743 Enactment No:

Amended

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

Amend Final RESOLVED CLAUSE:

RESOLVED, That the City Council immediately places the Acting City Administrator on paid administrative until such time that the Council receives [and acts upon the independent investigation] NOTICE THAT SAFEGUARDS ARE IN PLACE FOR ALL PARTIES, AS EARLY AS OCTOBER 6.

[Brackets] indicate deleted language. ALL CAPS indicate new language.

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

Yeas: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Nays: 8 - Mayor Taylor, Councilmember Grand, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Resolution Regarding Independent Investigation and Placement of Acting City Administrator on Paid Administrative Leave

21-1743 Enactment No: Amended

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

Replace Final RESOLVED Clause with the following:

RESOLVED, THAT THE CITY COUNCIL DIRECTS THE CITY ATTORNEY’S OFFICE TO FACILITATE POLICIES AND PROCEDURES TO ENSURE THE INTEGRITY OF THE INVESTIGATION AND PREVENT ANY HARM TO THE COMPLAINANT, INCLUDING POLICIES AND PROCEDURES REGARDING COMMUNICATION PROTOCOLS BETWEEN ALL PARTIES, AND SUBJECT TO REVIEW AND MODIFICATION BY OUTSIDE COUNSEL AND COUNCIL ADMINISTRATION COMMITTEE.

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

Yeas: 7 - Mayor Taylor, Councilmember Grand, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 4 - Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Resolution Regarding Independent Investigation and Placement of Acting City Administrator on Paid Administrative Leave

21-1743 Enactment No: R-21-380 Approved as Amended

The question being, the motion that was made by Councilmember Nelson, seconded by Councilmember Ramlawi, that the Resolution

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

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Ramlawi

Resolution Regarding Independent Investigation and Placement of Acting City Administrator on Paid Administrative Leave

DB New Business - Boards and Commissions:

DS New Business - Staff:

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss purchase of real property, as set forth in MCLA 15.268 (d). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 12:46 a.m.:

Yeas: 11 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Radina, seconded by Councilmember Ramlawi, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 12:57 a.m.

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

E The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Ramlawi, seconded by Councilmember Radina, that the Clerk's Report of Communications, Petitions, and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

- E-1** [21-1597](#) Investment Portfolio Report - 2nd Quarter 2021

- E-2** [21-1713](#) Corry Buckwalter - Resignation from the Design Review Board

- E-3** [21-1714](#) Communications from the Department of Licensing and Regulatory Affairs State Boundary Commission (SBC) regarding Petitions that have been Remanded to the SBC by the Circuit Court of Washtenaw County. -City Attorney -Planning

- E-4** [21-1725](#) Communication from the Environmental Commission Regarding their Resolution on Source of Ann Arbor Drinking Water

F The following minutes were received for filing:

- F-1** [21-1316](#) Minutes of the June 15, 2021 PAC Meeting

- F-2** [21-1564](#) Center of the City - Council of the Commons Minutes August 5, 2021

- F-3** [21-1582](#) Housing Board of Appeals Meeting Minutes June 8, 2021

- F-4** [21-1585](#) August 17, 2021 City Planning Commission Meeting Minutes

- F-5** [21-1626](#) Elizabeth Dean Fund Committee August Meeting Minutes

- F-6** [21-1658](#) The City of Ann Arbor Employees' Retirement System Board Meeting Minutes of August 19, 2021
- F-7** [21-1659](#) The City of Ann Arbor Retiree Health Care Benefit Plan & Trust (VEBA) Board Meeting Minutes of August 19, 2021
- F-8** [21-1700](#) Council Administration Committee Minutes - August 10, 16, 30 and September 7, 2021

G **COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Ralph McKee, resident, spoke about the current situation at City Hall and stated he is really struggling to understand what has happened.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about the City's letter to Safe House. She asked for an update on this issue.

COUNCILMEMBER SONG

Councilmember Song congratulated Josie Parker, the Ann Arbor District Library Director, on her upcoming retirement.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi recognized City HR Director Tom Guajardo and acknowledged the complaints that he made.

ADJOURNMENT

A motion was made by Councilmember Griswold, seconded by Councilmember Radina, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:09 a.m.

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

LIVE: MONDAY, OCTOBER 4, 2021 @ 7:00 P.M.

REPLAY: FRIDAY, OCTOBER 8, 2021 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.

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

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

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

A hard copy of this Council packet can be made available upon request.