

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes

Monday, January 6, 2020

7:00 PM

**Larcom City Hall, 301 E Huron St, Second floor, City Council
Chambers**

City Council

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:03 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

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

Councilmember Smith arrived at 7:03 p.m.

Present: 11 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

A motion was made by Councilmember Lumm, seconded by Councilmember Griswold, that the agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Assistant City Administrator John Fournier presented the following reports for information of Council. Mr. Fournier also welcomed City Police Officer Travis Kellar to the meeting.

AC-1 [20-0007](#) Memorandum from City Administrator: Meeting with Washtenaw Regional Resource Management Authority (WRRMA)

Received and Filed

AC-2 [20-0008](#) Memorandum regarding Potential Solar Farm on Closed Landfill -
December 30, 2019

Received and Filed

AC-3 [20-0016](#) Memorandum from City Administrator - Response to Resolution R-18-291 -
Resolution to Support One Community Initiative and Ongoing Equity Work -
FY20Q2 Report - January 6, 2020

Received and Filed

AC-4 [20-0011](#) City Administrator's Report - January 6, 2020

Received and Filed

AC-5 [20-0017](#) January 6, 2020 Agenda Response Memo and eComments

Received and Filed

INT INTRODUCTIONS

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. Ralph McKee - Short Term Rentals (CA-18)

*Ralph McKee, 1116 Red Oak, spoke in support of CA-18 and Option 3
for Short Term Rental regulations. Mr. McKee stated short-term rentals
are hurting affording housing efforts.*

2. Noah Hoffman - Short Term Rentals (CA-18)

*Noah Hoffman, 1765 Northbrook, spoke in opposition to CA-18 and
option 3. He stated option 1 and less regulation is preferred.*

3. Carol Skala - Short Term Rentals (CA-18)

Carol Skala spoke in opposition to CA-18 and questioned the outcomes of the Carlisle Wortman report.

4. Shannon Hautamaki - Short Term Rentals (CA-18)

Shannon Hautamaki, 1110 Brooklyn, spoke in support of regulation for short-term rentals.

5. Cathy Strachan - Short Term Rentals (CA-18)

Cathy Strachan, resident, stated existing short-term rental units should be grandfathered and not subject to new zoning regulations.

6. Kathy Stroud - Short Term Rentals (CA-18)

Kathy Stroud, 2271 Placid Way, spoke in support of CA-18.

7. Mozhgan Savabieasfahani - Resolution Supporting the Environmental Protection Agency's Active Involvement with the Gelman Site and Encouraging its Listing of the same as a "Superfund" Site (DC-1)

Mozhgan Savabieasfahani, resident, spoke about the Gelman plume and conflict in the Middle East.

8. David Halman - Resolution to Approve November 21, 2019 Recommendations of the Board of Insurance Administration (CA-1)

David Halman requested that City Council pull CA-1 from the Consent Agenda and discuss individually. He stated he has a claim on the November 21 Board of Insurance Administration minutes.

9. Lauren Tatarsky- Police Department Budget (CA-20)

Lauren Tatarsky, former Police Task Force member, expressed concern about CA-20, and the request for additional police staff. She stated the ICPOC members need access to more information.

10. Henry Herskovitz - Political Protests at Beth Israel

Henry Herskovitz, resident, spoke about his group's protests outside Beth Israel and the reasons for this choice of location.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GRISWOLD

Councilmember Griswold asked staff several questions about the Open Meetings Act and communications with residents. She stated she would like an explanation regarding responses to residents when all of Council are copied on citizen emails.

Councilmember Griswold thanked Councilmember Nelson for her work with developing a resident newsletter and her publication of Council vote tables.

Councilmember Griswold thanked the public for their attendance at Council meetings. She stated some conversations can be uncomfortable, but noted that the Council is making progress on important issues.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi wished everyone a happy new year.

COUNCILMEMBER HAYNER

Councilmember Hayner reminded Council and the public of the upcoming CARD (Coalition for Action on the Remediation of Dioxane) meeting this week.

Councilmember Hayner acknowledged those in the room who were in opposition to the City's annual deer cull.

Councilmember Hayner stated there remains confusion over the William Street bike lane, noting he has seen many cars turn from Main Street into the bike lane. He also stated cyclists need to follow the road rules at intersections.

COUNCILMEMBER GRAND

Councilmember Grand encouraged Council and the public to join in the United Way's 21-day equity challenge.

Councilmember Grand thanked Chief Cox and the AAPD for joining the religious community at Liberty Plaza for a celebration of Hanukah.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman addressed Mr. Herskovitz's comments about protesting outside Temple Beth Emeth. He stated Mr. Herskovitz's comments are anti-Semitic and promoting a distrust amongst neighbors.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA**CONSENT AGENDA ITEMS REMOVED**

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

CA-1 Resolution to Approve November 21, 2019 Recommendations of the Board of Insurance Administration

CA-11 Resolution to Approve the Purchase of a Vehicle from LaFontaine Chrysler Dodge (MiDeal Bid - \$39,772.00)

CA-6 Resolution to Approve a Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for Purchase of a Conservation Easement on Property in Salem Township

CA-7 Resolution to Accept the Revised Solid Waste Resources Management Plan (SWRMP)

CA-17 Resolution to Increase One FTE in the FY20 Housing Commission Budget to Administer Additional Housing Vouchers (8 Votes Required)

CA-18 Resolution Directing the City Administrator to Develop Ordinance Amendments for the Purpose of Regulating Short Term Rental Properties

CA-19 Resolution to Approve the Extension of Temporary Employment Agreement between Abigail Elias and the City of Ann Arbor (\$30,000.00)

CA-20 Resolution to Amend the FY20 General Fund Budget by Adding One Full Time Equivalent Position and the Related Funding to the Ann Arbor Police Department (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Griswold, seconded by Councilmember Lumm, that the following Consent Agenda Items be

approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-12, CA-13, CA-14 and CA-15.

CA-2 19-2252 Enactment No: R-19-578 Approved

Resolution to Approve a Contract with Kennedy Industries, Inc. to Remove, Refurbish, and Install a Vertical Turbine Pump at the Wastewater Treatment Plant, ITB No. 4604 (\$28,590.00)

CA-3 19-2333 Enactment No: R-19-579 Approved

Resolution to Approve a Purchase Order with Amerinet to Upgrade the Water Treatment Plant's Network (\$45,320.62)

CA-4 19-2263 Enactment No: R-19-580 Approved

Resolution Authorizing Water Capital Recovery Charges for 485 Riverview Dr. (\$18,275.00)

CA-5 19-2264 Enactment No: R-19-581 Approved

Resolution Authorizing Water Capital Recovery Charges for 442 Huntington Pl. (\$20,971.00)

CA-8 19-2262 Enactment No: R-19-582 Approved

Resolution to Approve a Professional Services Agreement with Stantec Consulting Michigan Inc. for the Engineering for Huron West Park Sanitary Sewer Project (\$443,794.00)

CA-9 19-2329 Enactment No: R-19-583 Approved

Resolution to Approve the Purchase of a Vehicle from Gorno Ford (MiDeal Bid - \$26,382.00)

CA-10 19-2330 Enactment No: R-19-584 Approved

Resolution to Approve the Purchase of Vehicles from Berger Chevrolet (Oakland County Bid, MiDeal Bid - \$114,492.00)

CA-12 19-2336 Enactment No: R-19-585 Approved

Resolution to Approve an Agreement with Washtenaw County on Behalf of Its Sheriff's Office to Provide Drug Abuse Screening Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants

(\$38,431.00) (8 Votes Required)

CA-13 19-2337 Enactment No: R-19-586 Approved

Resolution to Approve an Agreement with Dawn, Inc., d/b/a Dawn Farm, to Provide Drug Abuse Counseling and Rehabilitative Services to Sobriety Court, Veterans Treatment Court, and Mental Health Court Participants (\$117,465.00) (8 Votes Required)

CA-14 19-2338 Enactment No: R-19-587 Approved

Resolution to Approve an Agreement with Washtenaw County Community Mental Health to provide Mental Health Treatment Services to Sobriety Court and Mental Health Court Participants (\$102,538.00) (8 Votes Required)

CA-15 19-2364 Enactment No: R-19-588 Approved

Resolution to Approve Amendment No. 1 to the Agreement with Domestic Violence Project, Inc., a.k.a. SafeHouse Center, for Confidential Victim Support Services (\$29,322.59 amendment; \$145,197.59 total contract) (8 Votes Required)

CA-16 19-2369 Enactment No: R-19-589 Approved

Resolution to Approve a Purchase Order to CDW Government, LLC for Licenses for Duo Multifactor Software protection (\$25,056.00)

CA-1 19-2346 Enactment No:

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

Resolution to Approve November 21, 2019 Recommendations of the Board of Insurance Administration

19-2346 Enactment No: Postponed

A motion was made by Councilmember Lumm, seconded by Councilmember Smith, that the Resolution be postponed until 1/21/2020. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve November 21, 2019 Recommendations of the Board of Insurance Administration

CA-11 19-2331 Enactment No: R-19-590 Approved

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

Yeas: 6 - Councilmember Lumm, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith and Councilmember Nelson

Nays: 5 - Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Resolution to Approve the Purchase of a Vehicle from LaFontaine Chrysler Dodge (MiDeal Bid - \$39,772.00)

CA-6 19-2311 Enactment No: R-19-591 Approved

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

Resolution to Approve a Grant Application to the USDA Agricultural Conservation Easement Program (ACEP) for Purchase of a Conservation Easement on Property in Salem Township

CA-7 19-2259 Enactment No:

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be approved.

Resolution to Accept the Revised Solid Waste Resources Management Plan (SWRMP)

19-2259 Enactment No: Lay on the table

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

Yeas: 9 - Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Lumm and Councilmember Hayner

Resolution to Accept the Revised Solid Waste Resources Management Plan (SWRMP)

CA-17 19-2332 Enactment No: R-19-592 Approved

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Resolution to Increase One FTE in the FY20 Housing Commission Budget to Administer Additional Housing Vouchers **(8 Votes Required)**

CA-18 19-2390 Enactment No: R-19-593 Approved

A motion was made by Councilmember Lumm, 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: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Hayner and Councilmember Griswold

Resolution Directing the City Administrator to Develop Ordinance Amendments for the Purpose of Regulating Short Term Rental Properties

RECESS

Mayor Taylor declared a recess at 9:12 p.m. and reconvened the meeting at 9:22 p.m.

CA-19 19-2419 Enactment No: R-19-594 Approved

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

Resolution to Approve the Extension of Temporary Employment Agreement between Abigail Elias and the City of Ann Arbor (\$30,000.00)

CA-20 20-0002 Enactment No: R-19-595 Approved

A motion was made by Councilmember Lumm, seconded by Councilmember Ackerman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Resolution to Amend the FY20 General Fund Budget by Adding One Full Time Equivalent Position and the Related Funding to the Ann Arbor Police Department **(8 Votes Required)**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [19-2374](#) Special Sessions of December 8 and 12, Work Session of December 9, and Regular Session Meeting Minutes of December 16, 2019

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Special Sessions of December 8 and 12, Work Session of December 9, and Regular Session Meeting Minutes of December 16, 2019 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

D Unfinished Business:

DC-1 19-1887 Enactment No:

Sponsors: Griswold, Hayner, Bannister, Eaton and Ramlawi

A motion was made by Councilmember Hayner, seconded by Councilmember Griswold, that the Resolution be approved.

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

19-1887 Enactment No:

Postponed

A motion was made by Councilmember Griswold, seconded by Councilmember Ackerman, that the Resolution be postponed until 1/21/2020. On a voice vote, the Mayor declared the motion carried.

Resolution Supporting the Environmental Protection Agency’s Active Involvement with the Gelman Site and Encouraging its Listing of the same as a “Superfund” Site

DC New Business - Council:

DC-2 20-0012 Enactment No: R-19-596 Approved

Sponsors: Taylor

A motion was made by Councilmember Ackerman, 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: 9 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 2 - Councilmember Bannister and Councilmember Hayner

Resolution Authorizing Appeals of the Denials of the City’s Petitions to the State Boundary Commission to Annex Various Parcels from the Charter Township of Ann Arbor and the Charter Township of Pittsfield

Councilmember Bannister requested additional information regarding the cost of City Attorney time on this issue.

DB New Business - Boards and Commissions:

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

F & G CLERK’S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

F The following communications were referred as indicated:

Passed on consent agenda

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

- F-1 [19-2257](#) 2020 Meeting Dates for the Environmental Commission
- Approved**
- F-2 [19-2318](#) Items for the Solid Waste Resource Management Plan agenda item for the Dec 5, 2019 Env Commission meeting
- F-3 [19-2343](#) Megan Peters - Resignation from the Zoning Board of Appeals
- F-4 [19-2366](#) Ann Arbor Downtown Development Authority FY 2019 Audit
- F-5 [19-2367](#) Ann Arbor Downtown Development Authority 2019 Annual Report
- F-6 [19-2376](#) Communication from Teresa Seidel, Director of the Water Resources Division regarding IPP PFAS Initiative Status and Continued Efforts
- F-7 [19-2389](#) Kathleen Nolan - Resignation from the Downtown Area Citizens Advisory Council
- F-8 [19-2403](#) Communication from Evan Pratt, Water Resources Commissioner, regarding Notice of Receipt of Petition regarding the Benz Creek Drain Drainage District "HHGC 5598.01" Drain Project
- F-9 [19-2410](#) Communication from the State of Michigan Department of Licensing and Regulatory Affairs State Boundary Commission regarding Final Decision and Orders of Approval and/or Denial of City Initiated Annexations from Surrounding Townships - All

G The following minutes were received for filing:

- G-1 [19-1957](#) Minutes of the September 17, 2019 Parks Advisory Commission Meeting

- G-2 [19-2135](#) Ann Arbor Public Art Commission Meeting Minutes - November 2019

- G-3 [19-2283](#) Minutes from the 10-24-19 meeting of the Env Commission

- G-4 [19-2304](#) Greenbelt Advisory Commission Meeting Minutes of November 7, 2019

- G-5 [19-2325](#) Election Commission Minutes, October 15, 2019

- G-6 [19-2347](#) Insurance Board Meeting Minutes - November 21, 2019

- G-7 [19-2349](#) Ann Arbor Area Transportation Authority Board Meeting Minutes of October 17, 2019

- G-8 [19-2356](#) Downtown Development Authority Board, Executive, Partnerships and Capital Improvements Committees Minutes of November 2019

- G-9 [19-2416](#) City of Ann Arbor Employees' Retirement System Board Meeting Minutes of November 21, 2019

- G-10 [19-2417](#) Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of November 21, 2019

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

An unidentified short-term rental host spoke in opposition to the City's proposed regulation of short-term rental units. She urged the City to "grandfather" existing properties that have operated legally under existing rules.

Grant Shafer, Ypsilanti, spoke in opposition to the City's deer cull.

An unidentified short-term rental host spoke in opposition to the proposed "Option 3" of the short-term rental regulations. She also stated student rentals should not be treated differently.

An unidentified short-term rental host spoke in opposition to regulation of short-term rentals. He stated most Airbnbs are not owner-occupied so the proposed regulation would affectively ban short-term rental in Ann Arbor.

Dwight Smith spoke in opposition to the City's deer cull.

An owner of a short-term rental business spoke about the benefits of short-term rentals, including job opportunities.

An unidentified speaker talked about the benefits of short-term rentals.

An unidentified speaker talked about affordable housing and his personal housing situation. He also spoke about the deer cull and the need to reintroduce wolves into the ecosystem.

An unidentified short-term rental host spoke about Airbnb, stating the community supports and wants them. He stated banning short-term rentals would not fix the affordability issues in Ann Arbor.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner addressed the public's concerns regarding short-term rentals.

COUNCILMEMBER BANNISTER

Councilmember Bannister thanked the public for their comments regarding short-term rentals. She urged residents and owners to stay engaged.

COUNCILMEMBER LUMM

Councilmember Lumm also spoke about short-term rentals and the public engagement process that has taken place on this issue. She stated she would continue to advocate for neighborhoods and residents.

COUNCILMEMBER ACKERMAN

Councilmember Ackerman addressed his earlier remarks regarding Mr. Henry Herskovitz's behavior and comments. He stated they were only his own opinions and not those of City Council.

MAYOR TAYLOR

Mayor Taylor addressed short-term rentals and the proposed regulations. He stated his concerns relate specifically to the preservation of neighborhoods.

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

None.

ADJOURNMENT

A motion was made by Councilmember Grand, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:52 p.m.

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

**LIVE: MONDAY, JANUARY 6, 2020 @ 7:00 P.M.
REPLAY: FRIDAY, JANUARY 10, 2020 @ 8:00 P.M.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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

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 viewed at the front counter of the City Clerk's Office.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary