

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes - Final

Monday, February 6, 2023

7:00 PM

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

Larcom City Hall, 301 E Huron St, Second floor, City Council
To sign up for public comment, call the City Clerk's Office between
8am - 5pm at 734-794-6140 on the day of the meeting.

City Council

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

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 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

Present: 9 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Dharma Akmon and Councilmember Jennifer Cornell

Absent: 2 - Councilmember Ayesha Ghazi Edwin and Councilmember Chris Watson

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Milton Dohoney Jr. presented the following written reports for information of Council.

AC-1 [23-0184](#) Agenda Response Memo and eComments - February 6, 2023

Received and Filed

AC-2 [23-0214](#) Memorandum in Response to R-22-240 - Resolution Directing the City Administrator to Expand Compliance Evaluations and to Continue to Provide Annual Reports Regarding Contractor Compliance with Prevailing Wage Requirements

Received and Filed

AC-3 [23-0219](#) City Administrator's Report - February 6, 2023

Received and Filed

INT INTRODUCTIONS

INT-1 [22-2138](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update

Frances Todoro-Hargreaves, Chair of the Independent Community Police Oversight Commission, gave her monthly update to City Council.

Received and Filed

INT-2 [23-0141](#) Proclamation Recognizing the Creative Campus Voting Project at the University of Michigan

Mayor Taylor read a proclamation recognizing the Creative Campus Voting Project of the University of Michigan. Stamps School Professors Stephanie Rowden and Hannah Smotrich were present to accept the proclamation.

A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

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

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

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

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

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

1. **Ken Garber - Rezoning of 1680 Dhu Varren Road, 1710 Dhu Varren Road, 2670 Pontiac Trail, 2672 Pontiac Trail, 2678 Pontiac Trail, and 2682 Pontiac Trail (C-1) (in person)**
Ken Garber, resident, spoke about the need for sustainable building and development practices, including electrification and solar.
2. **Kathy Griswold - East Medical Center Bridge (DC-1); Crosswalk Lighting (in person)**
Kathy Griswold, resident, spoke about pedestrian safety and the need to make crosswalk illumination a City priority.
3. **Petals Sandcastle - Cultural Ambassadors / Third Spaces (in person)**
Petals Sandcastle, resident, spoke about the proposed unarmed police response in the City of Ann Arbor.
4. **Henry Herskovitz - The Holocaust (in person)**
Henry Herskovitz, resident, spoke about the Holocaust.
5. **Blaine Coleman - We Are Against Military Aid to Israel (in person)**
Blaine Coleman, resident, spoke about Councilmember Eyer's campaign funds and stated he is against military aid to Israel.
6. **Mozhgan Savabieasfahani - We Are Against Military Aid to Israel (in person)**
Mozhgan Savabieasfahani, resident, spoke about Palestine and military aid to Israel.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HARRISON

Councilmember Harrison spoke about police use of force against young black men. She stated bad policing is a public safety issue. Councilmember Harrison stated she is calling on Congress to pass the George Floyd Justice in Policing Act.

COUNCILMEMBER EYER

Councilmember Eyer spoke about AC-2, regarding the Administrator's Prevailing Wage Compliance Report. She noted that since the City started in-person checks and wage interviews, 24 violations were found, compared to almost no violations when contractors submitted payroll records.

COUNCILMEMBER SONG

Councilmember Song thanked Frances Hargreaves for her work with ICPOC and public safety.

Councilmember Song thanked City staff for their work with DTE to address power outages.

COUNCILMEMBER CORNELL

Councilmember Cornell spoke about the construction work in the Main Street area. She talked about the collaboration between local businesses, including sharing of best practices.

COUNCILMEMBER DISCH

Councilmember Disch provided information regarding an upcoming A2Zero panel on housing and sustainability.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor reported on his recent visit to Washington DC to meet with Vice President Kamala Harris regarding the City's sustainability and environmental work.

MC-1 [23-0181](#) Nominations and Appointments for February 6, 2023

Mayor Taylor presented the following nominations for approval at a later date:

*Elizabeth Dean Fund Committee
Brooks Curtis - Partial Term
Term Ending: May 31, 2023*

*Local Officers Compensation Commission
Diane Heidt
Term Ending: September 30, 2029*

Referred to the City Council due back on 2/21/2023

MC-2 [23-0180](#) Resolution to Appoint William Connolly and Maya Curtis as Non-resident Electors **(7 Votes Required)**
Mayor Taylor presented the Resolution of Appointment for approval at a later date.

Referred to the City Council due back on 2/21/2023

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Radina, 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 requirement of CA-5.

CA-1 [23-0139](#) **Enactment No: R-23-029** **Approved**

Resolution to Close Washington Street between Fletcher and Thayer for the University of Michigan Presidential Inauguration Public Reception from 6:00 AM on Monday, March 6 until 8:00 PM on Wednesday, March 8, 2023

CA-2 [22-2073](#) **Enactment No: R-23-030** **Approved**

Resolution to Approve Street Closings for the University of Michigan Big House 5K on Sunday, April 16, 2023

CA-3 [23-0140](#) **Enactment No: R-23-031** **Approved**

Resolution to Close Streets for the Time to Teal 5K and Fun Run to Benefit the Michigan Ovarian Cancer Alliance (MIOCA) on Sunday, May 14, 2023

CA-4 [22-2139](#) **Enactment No:** **R-23-032** **Approved**

Resolution to Approve a Construction Contract with Doan Construction Co. for the Sanitary Manhole Raising Project (\$1,479,493.00)

CA-5 [22-2135](#) **Enactment No:** **R-23-033** **Approved**

Resolution to Accept and Appropriate a HUD Grant, Approve a Program Contract with HUD, and Approve a Subrecipient Agreement with the Ann Arbor Housing Commission (\$3,000,000.00) (**8 Votes Required**)

CA-6 [22-2150](#) **Enactment No:** **R-23-034** **Approved**

Resolution to Adopt the Board of Review Guidelines for Poverty Exemptions from Property Taxation of Principal Residence Pursuant to MCL 211.7u

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

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

PH-1 [22-1993](#) An Ordinance to Amend Sections 5.22.2 and 5.22.3, of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Storm Water Management Systems) (ORD-23-02)

A public hearing was conducted on the proposed Ordinance to Amend Sections 5.22.2 and 5.22.3, of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Storm Water Management Systems) (ORD-23-02).

Notice of public hearing was published January 19, 2023.

Seeing no one present to speak at the hearing, Mayor Taylor declared the hearing closed.

Held and Closed

PH-2 [22-2094](#) An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing the Robert and Erma Hayden House Historic District, 1201 Gardner Avenue (Robert and Erma Hayden House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays) (ORD-23-03)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of

Ann Arbor by Adding Section 8:425.15 Establishing the Robert and Erma Hayden House Historic District, 1201 Gardner Avenue (Robert and Erma Hayden House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays) (ORD-23-03).

Notice of public hearing was published January 26, 2023.

An unidentified family member of the Hayden's spoke in support of the Historic District.

Seeing no one further present to speak, Mayor Taylor declared the hearing closed.

Held and Closed

PH-3 [22-1958](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.19 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), 530 N. Division Street Zoning and Supplemental Regulations (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-01)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.19 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), 530 N. Division Street Zoning and Supplemental Regulations (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-01). Notice of public hearing was published January 19, 2023.

The following persons were present to speak at the hearing:

A property owner on Division Street spoke in opposition.

Chris Crockett, President of the Old Fourth Ward, spoke in support.

Jeff Crockett, of the Old Fourth Ward, spoke in support.

Doug Selby, developer of the project, spoke about his project, highlighting the sustainability features.

Seeing no further comment, Mayor Taylor declared the hearing closed.

Held and Closed

PH-4 [22-2500](#) **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve 530 N. Division St. PUD Site Plan (CPC

Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 530 N. Division St. PUD Site Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays). Notice of public hearing was published January 19, 2023.

The following persons were present to speak at the hearing:

Ken Garber, resident, spoke in support of the project and expressed his appreciation for the sustainable elements of the project.

Doug Selby, developer, spoke about the project and his commitment to keep the project sustainable and affordable for market rate rental.

Seeing no one further present to speak, Mayor Taylor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 [23-0152](#) Regular Session Meeting Minutes of January 23, 2023

A motion was made by Councilmember Akmon, seconded by Councilmember Eyer, that the Regular Session Meeting Minutes of January 23, 2023 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [22-1993](#) An Ordinance to Amend Sections 5.22.2 and 5.22.3, of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Storm Water Management Systems) (ORD-23-02)

A motion was made by Councilmember Disch, seconded by Councilmember Radina, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

B-2 [22-2094](#) An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing the Robert and Erma Hayden House Historic District, 1201 Gardner Avenue (Robert and Erma Hayden House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays) (ORD-23-03)

A motion was made by Councilmember Disch, seconded by Councilmember Harrison, that the Ordinance be adopted on

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

- B-3** [22-1958](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.19 Acres from R4C (Multiple-Family Dwelling District) to PUD (Planned Unit Development District), 530 N. Division Street Zoning and Supplemental Regulations (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-01)

A motion was made by Councilmember Disch, seconded by Councilmember Song, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

C **ORDINANCES - FIRST READING**

C **New Business - Staff:**

- C-1** [23-0039](#) An Ordinance to Amend Chapter 55 (Zoning), Zoning of 67.6 Acres from TWP (Township District) and R1C (Single-Family Dwelling District) to R4A (Multiple-Family Dwelling District), 1680 Dhu Varren Road, 1710 Dhu Varren Road, 2670 Pontiac Trail, 2672 Pontiac Trail, 2678 Pontiac Trail, and 2682 Pontiac Trail (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (ORD-23-04)

A motion was made by Councilmember Disch, seconded by Councilmember Radina, that the Ordinance be approved on First Reading and should be returned by 3/6/2023. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-23-04

- C-2** [23-0166](#) An Ordinance to Amend Chapter 112 (Non-Discrimination), Sections 9:150, 9:151, 9:155; and 9:156 of Title IX of the Code of the City of Ann Arbor (ORD-23-05)

A motion was made by Councilmember Radina, seconded by Councilmember Song, that the Ordinance be approved on First Reading and should be returned by 2/21/2023. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-23-05

- C-3** [22-1968](#) An Ordinance to Amend Chapter 19 (Tax Exemptions for Housing Projects) of Title I of the Code of the City of Ann Arbor (ORD-23-06)

A motion was made by Councilmember Eyer, seconded by

Councilmember Akmon, that the Ordinance be approved on First Reading and should be returned by 2/21/2023. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-23-06

D MOTIONS AND RESOLUTIONS

DB New Business - Boards and Commissions:

DB-1 [22-2500](#) Enactment No: R-23-035 Approved

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

Resolution to Approve 530 N. Division St. PUD Site Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

DS New Business - Staff:

DS-1 [22-1996](#) Enactment No: R-23-036 Approved

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

Resolution Authorizing Summary Publication of Ordinance 23-02 - An Ordinance to Amend Chapter 55 (Storm Water Management Systems) of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor

DC Unfinished Business - Council:

DC-1 [22-1932](#) Enactment No:

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

Resolution to Commence a Collaborative Planning Process between the University of Michigan and the City of Ann Arbor for the Rehabilitation, Widening, and Non-motorized Transportation Enhancement of the East Medical Center Bridge

[22-1932](#) Enactment No: Postponed

A motion was made by Councilmember Briggs, seconded by Councilmember Akmon, that the Resolution be postponed until 2/21/2023. On a voice vote, the Mayor declared the motion carried.

Resolution to Commence a Collaborative Planning Process between the University of Michigan and the City of Ann Arbor for the Rehabilitation, Widening, and Non-motorized Transportation Enhancement of the East Medical Center Bridge

DC New Business - Council:

DC-2 [23-0120](#) Enactment No: R-23-038 **Approved**

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

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Liberty Drinks, LLC

DC-3 [23-0138](#) Enactment No: R-23-039 **Approved**

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

Resolution to Revise and Amend List of Approved Participating Establishments in the Main Street Social District

DC-4 [23-0171](#) Enactment No: R-23-040 **Approved**

A motion was made by Councilmember Radina, seconded by Councilmember Eyer, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Resolution Recognizing Temple Beth Emeth as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

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 Cornell, seconded by Councilmember Eyer, that Council enter into Closed Session under the Michigan Open Meetings Act, MCL 15.268 (H) to discuss a

privileged attorney/client memorandum. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:38 p.m.:

Yeas: 9 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Akmon and Councilmember Cornell

Nays: 0

Absent: 2 - Councilmember Ghazi Edwin and Councilmember Watson

THAT THE MEETING RECONVENE

A motion was made by Councilmember Eyer, seconded by Councilmember Cornell, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 9:35 p.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 Disch, 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** [23-0119](#) City of Ann Arbor Annual Financial Report - FY2022

- E-2** [23-0117](#) Ann Arbor Downtown Development Authority FY2022 Audit

- E-3** [23-0118](#) Ann Arbor Housing Commission Audit - FY2022

- E-4** [23-0132](#) Communication from Secretary of State Jocelyn Benson Regarding Receipt and Filing of the City of Ann Arbor Charter Amendment Approved by the Electorate at the General Election on November 8, 2022 - File

- E-5** [23-0134](#) Communication from Bodman PLC Regarding Notice of Intent to Establish Condominium Project: 915-917 Wildt Street - Assessor, Planning & Development Services, Sustainability, City Attorney
- E-6** [23-0160](#) Communications from the State of Michigan Regarding the Receipt of Filing of the Annexation from Ann Arbor Township for the Middleton Annexation - 2118 Victoria Circle
- E-7** [23-0168](#) Communications from the State of Michigan Regarding the Receipt of Filing of the Annexation from Ann Arbor Township for the Village of Ann Arbor: Various Parcels Annexation - 2520 Pontiac Trail, 2540 Pontiac Trail
- E-8** [23-0169](#) Bob Needham - Resignation from the Environmental Commission.
- E-9** [23-0170](#) Marie Klopf - Resignation from the Downtown Development Authority.
- E-10** [23-0179](#) Communication from the Barton Hills Village Zoning Board of Appeals Regarding a Public Hearing for 351 Barton Shores Drive - Planning - Sustainability
- F** **The following minutes were received for filing:**
- F-1** [22-1730](#) Minutes of the September 15, 2022 Renters Commission Meeting
- F-2** [22-2006](#) Minutes of the November 17, 2022 Renters Commission Meeting
- F-3** [22-2022](#) November 2022 Transportation Commission Meeting Minutes
- F-4** [22-2029](#) Building Board of Appeals Meeting Minutes September 22, 2022
- F-5** [22-2143](#) Minutes of the December 13, 2022 Energy Commission Meeting
- F-6** [23-0089](#) Ann Arbor Housing Commission Board Minutes November 16, 2022

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 during regular business hours.