

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Monday, March 16, 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 7:00 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: 6 - Councilmember Jane Lumm, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Jeff Hayner and Councilmember Ali Ramlawi

Absent: 5 - Councilmember Jack Eaton, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Kathy Griswold and Councilmember Elizabeth Nelson

APPROVAL OF AGENDA

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Agenda be approved with the following changes:

All 8 Vote items have been deleted from the agenda due a lack of eight City Council Members present.

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford provided an update on the City's COVID-19 response. He stated that City services have been reduced to critical and essential services only. Mr. Crawford noted budget planning will proceed, due to City Charter requirements. It is unknown at this time, he stated, if the virus response will require additional budget measures. He noted that budget amendments may be necessary later in the year.

Mr. Crawford informed Council and the public that the DDA parking structures are now offering free parking through April 5. There are also bagged meters in front of downtown restaurants to allow for take-out and pick-up, as directed by Governor Whitmer that these businesses close for on-premise gathering. Other meters in the downtown will continue to be enforced.

Mr. Crawford thanked Officer Kellar of the AAPD for his attendance at the meeting this evening.

Mr. Crawford provided his written reports for information of Council.

AC-1 [20-0452](#) March 16, 2020 Agenda Response Memo and eComments

Received and Filed

AC-2 [20-0462](#) A2 Zero Report - March 16, 2020

Received and Filed

AC-3 [20-0463](#) City Administrator's Report - March 16, 2020

Received and Filed

INT INTRODUCTIONS

INT-1 [20-0382](#) Center of the City Task Force Final Report - February 28, 2020
Presentation

Members of the Center of the City Task Force presented their final report to City Council. A copy of the report is on file in the City Clerk's Office.

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. **Mozhgan Savabieasfahani - A Resolution Urging the State of Michigan to Adopt HB 4212 and SB 116, the so-called "Polluter Pays Act" (DC-1)**

Mozhgan Savabieasfahani, Ward 4, urged the City Council to clean up the Gelman 1,4 dioxane plume and supported any action to force the polluter to pay.

2. **Blaine Coleman - A Resolution Urging the State of Michigan to Adopt HB 4212 and SB 116, the so-called "Polluter Pays Act" (DC-1)**

Blaine Coleman, resident, spoke about DC-1, A Resolution Urging the State of Michigan to Adopt HB 4212 and SB 116, the so-called "Polluter Pays Act."

3. **Michelle Hughes - Resolution Directing the Planning Commission to Create a Transit Supported Development District (DC-3)**

Not present.

4. **James Fogel - Resolution Directing the Planning Commission to Create a Transit Supported Development District (DC-3)**

Not present.

5. **Kirk Westphal - Resolution Directing the Planning Commission to Create a Transit Supported Development District (DC-3)**

Not present.

6. **Henry Herskovitz - Center of the City Task Force Final Report - February 28, 2020 Presentation (INT-1)**

Not present.

CC COMMUNICATIONS FROM COUNCIL

City Council Members thanked City staff for their communication and response to the COVID-19 virus pandemic.

Councilmember Ackerman noted that several items were removed from the agenda due to the lack of eight Council Members present at the meeting.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 [20-0353](#) Appointments - Confirmations*****APPOINTMENTS APPROVED***

Mayor Taylor requested confirmation of the following appointment that was presented to City Council at the March 2, 2020 Regular Session:

Transportation Commission

Bret Hautamaki-Partial Term

1110 Brooklyn Ave.

Ann Arbor, MI 48104

Term: Ending May 31, 2022

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

Resolution to Accept and Appropriate Michigan Indigent Defense Commission Grant Award, Approve Grant Contract, and Reallocate Local Share (\$393,530.00) (8 Votes Required)

CA-16 20-0210 Enactment No: Deleted from Agenda

Call The Question

Resolution to Approve the Purchase of Vehicles from Berger Chevrolet (Mi-Deal Contract \$327,790.00) and to Amend the Fleet and Facility Unit FY 2020 Budget (\$180,706.00) (8 Votes Required)

CA-17 20-0216 Enactment No: Deleted from Agenda

Deleted from Agenda

Resolution No. 1 - Prepare Plans and Specifications for the Proposed South Main Street Sidewalk Gap Project - Special Assessment District #62, and Appropriate \$115,000.00 from the General Fund Balance for the Design of the Project (8 Votes Required)

CA-18 20-0243 Enactment No: Deleted from Agenda

Deleted from Agenda

Resolution to Approve a Contract with True Colors Industrial LLC for the Hangar Roof Recoating Project at the Ann Arbor Municipal Airport and to Appropriate Funding from the Airport Fund Balance (\$186,000.00) (ITB #4613 - \$169,175.00) (8 Votes Required)

CONSENT AGENDA ITEMS REMOVED

The following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-14, CA-19 and CA-20

Passed on consent agenda

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 20-0145 Enactment No: R-20-083 Approved

Resolution to Close Ashley Street between Huron and Washington for the Treeverb Music Festival from 8:00 AM on Friday, June 5, 2020 until 11:00 PM on Saturday, June 6, 2020

CA-2 20-0352 Enactment No: R-20-084 Approved

Resolution to Close Streets for the Time to Teal 5K to Benefit the Michigan Ovarian Cancer Alliance (MIOCA) on Sunday, May 10, 2020

CA-3 20-0358 Enactment No: R-20-085 Approved

Resolution to Approve Street Closings for the 2020 Taste of Ann Arbor Special Event - Sunday, May 31, 2020

CA-4 20-0360 Enactment No: R-20-086 Approved

Resolution to Approve Street Closings for the 2020 Rolling Sculpture Car Show - Friday, July 10, 2020

CA-6 20-0326 Enactment No: R-20-087 Approved

Resolution to Approve a Grant Agreement with Ann Arbor-Ypsilanti Local Development Authority for the Fiber Optic & Conduit Installation in the DDA District (\$5,000,000.00)

CA-7 20-0235 Enactment No: R-20-088 Approved

Resolution to Approve a Professional Services Agreement with Magellan Advisors, LLC for Fiber Optic & Conduit Design and Planning Services for the DDA District (\$334,550.00)

CA-9 20-0267 Enactment No: R-20-089 Approved

Resolution to Approve Schedule 34 to the Interagency Agreement for Collaborative Technology and Services with Washtenaw County for the Enterprise Content Management System (\$122,340.63 over a 3-Year Period with an Additional 15% Contingency)

CA-11 20-0074 Enactment No: R-20-090 Approved

Resolution to Approve a Contract with A.Z. Shmina, Inc. to Construct the Replacement of Astor and Franklin Sewage Lift Stations, ITB No. 4606 (\$1,216,600.00)

CA-12 20-0297 Enactment No: R-20-091 Approved

Resolution to Approve Amendment No. 2 to the Contract with Hubbell, Roth & Clark, Inc. for the Lift Station Replacement Project, RFP No. 18-35 (\$149,455.00)

CA-13 20-0263 Enactment No: R-20-092 Approved

Resolution to Approve a Services Agreement with Michigan AgriBusiness Solutions, LLC for Land Application of Municipal Biosolids, RFP No. 20-03 (\$0.039/gallon, estimated \$624,000.00 first year)

CA-15 20-0199 Enactment No: R-20-093 Approved

Resolution to Approve the Purchase of Electric Vehicle Chargers from Chargepoint Inc. (Sourcewell - \$20,347.00)

CA-14 20-0189 Enactment No: R-20-094 Approved

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

Resolution to Approve a Best Source Lease Agreement with Big Belly Solar, Inc. for Lease of Solar Compacting Trash and Recycling Containers (\$23,290.08/year 1 and 2; not to exceed \$150,000.00 for 5 years)

CA-19 20-0289 Enactment No: R-20-095 Approved

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

Resolution to Approve an Agreement with the Downtown Development Authority for the First and Ashley Street Improvement Project. (\$2,334,383.00)

CA-20 20-0261 Enactment No: R-20-096 Approved

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

Resolution No. 2 - Proposed Fuller Court and Nixon/Traver Sidewalk Gap Project - Special Assessment Districts #57 & 56

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 20-0306 Enactment No: Held and Closed

Held and Closed

Resolution to Approve the Copozzo Annexation, 0.74 Acre, 1780 Scio Church Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Copozzo Annexation, 0.74 Acre, 1780 Scio Church Road. Notice of public hearing was published March 5, 2020.

There being no one present for comment, the Mayor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 [20-0411](#) Special Session of February 21, 2020 and Regular Session Meeting Minutes of March 2, 2020

A motion was made by Councilmember Hayner, seconded by Councilmember Lumm, that the Special Session of February 21 and Regular Session Meeting Minutes of March 2, 2020 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B Unfinished Business - Staff:

C ORDINANCES - FIRST READING

C Unfinished Business:

C-1 [19-2340](#) An Ordinance to Add a New Chapter 122 (Historic Entertainment Sound District) to Title IX of the Code of the City of Ann Arbor

Sponsors: Ramlawi and Eaton

Deleted from Agenda

C Unfinished Business:**C New Business - Staff:**

- C-2** [19-2156](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 0.52 Acre from TWP (Township District) to R1A (Single Family Dwelling District), Oshagan Property, 715 Heather Way (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-05

- C-3** [20-0175](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 1.3 Acres from PUD (Planned Unit Development District) to PL (Public Land District), 385 East Eisenhower Parkway (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Grand, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-06

- C-4** [20-0176](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 16.0 Acres from R4A With Conditions (Multiple-Family Dwelling District) to PL (Public Land District), Buttonbush Nature Area, 2601 Dhu Varren Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Lumm, seconded by Councilmember Hayner, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the City Council declared the motion carried.

Enactment No: ORD-20-07

- C-5** [20-0178](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 1.5 Acres from R4B (Multiple-Family Dwelling District) to PL (Public Land District), Hansen Nature Area, 1200 South Maple Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Ramlawi, seconded by Councilmember Ackerman, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-08

- C-6** [20-0179](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 2.0 Acres from R1D (Single-Family Dwelling District) to PL (Public Land District), Hickory Nature Area, 2817 Dillon Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Hayner, seconded by Councilmember Lumm, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-09

- C-7** [20-0180](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Rezoning of 25.0 Acres from R4A (Multiple-Family Dwelling District) to PL (Public Land District), Oakwoods Nature Area Addition, 3200 Green Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A motion was made by Councilmember Lumm, seconded by Councilmember Grand, that the Ordinance be approved on First Reading to the City Council and should be returned by 5/4/2020. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-20-10

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 20-0386 Enactment No: R-20-097 Approved

Sponsors: Council Policy Agenda Committee

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

A Resolution Urging the State of Michigan to Adopt HB 4212 and SB 116, the so-called "Polluter Pays Act"

AMEND THE AGENDA

With unanimous consent of Council, DC-2 was moved to after DC-5.

DC-3 20-0438 Enactment No:

Sponsors: Ackerman, Taylor, Grand and Smith

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

Resolution Directing the Planning Commission to Create a Transit Supported Development District

20-0438 Enactment No: Postponed

A motion was made by Councilmember Ackerman, seconded by Councilmember Grand, that the Resolution be postponed until 4/6/2020. On a voice vote, the Mayor declared the motion carried.

Resolution Directing the Planning Commission to Create a Transit Supported Development District

DC-4 20-0433 Enactment No: R-20-098 Approved

Sponsors: Smith and Ackerman

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

Resolution to Approve Street Closings for a Celebration Commemorating the 50th Anniversary of Earth Day on April 22, 2020

DC-5 20-0451 **Enactment No: R-20-099** **Approved**

Sponsors: Taylor and Lumm

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 Appoint Matthew Horning as the City of Ann Arbor Interim Controller and Chief Financial Officer

DC-2 20-0413 **Enactment No:**

Sponsors: Taylor

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

Resolution to Appoint Tom Crawford to the Downtown Development Authority

It was decided by City Council to consider this resolution in the normal two-step process (not requiring 8 Votes).

20-0413 **Enactment No:** **Referred**

Sponsors: Taylor

Referred to the City Council due back on 4/6/2020

Resolution to Appoint Tom Crawford to the Downtown Development Authority

DC-6 20-0464 **Enactment No:** **Deleted from Agenda**

Sponsors: Ackerman and Bannister

Deleted from Agenda

Resolution to Protect Ann Arbor Residents from Eviction as a Result of the COVID-19 Pandemic and Appropriate \$200,000 for Housing Assistance to the Ann Arbor Housing Commission (8 Votes Required)

DC-7 20-0465 **Enactment No:**

Sponsors: Taylor

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

Resolution in Support of the Mayor's Declaration of a Local State of Emergency in Response to COVID-19

20-0465 Enactment No: **Amended**

Sponsors: Taylor

Amended

Resolution in Support of the Mayor's Declaration of a Local State of Emergency in Response to COVID-19

A friendly amendment was proposed by Councilmember Ackerman and accepted by the Body:

Add new 1st RESOLVED Clause:

Resolve, That the Mayor's Declaration of Local State of Emergency is hereby extended and continued until the City Council votes to discontinue this Local State of Emergency Declaration.

20-0465 Enactment No: R-20-100 **Approved as Amended**

The question being, the motion made by Councilmember Ackerman, seconded by Councilmember Hayner, that the Resolution be approved as amended, on a voice vote, the Mayor declared the motion carried.

Resolution in Support of the Mayor's Declaration of a Local State of Emergency in Response to COVID-19

DB New Business - Boards and Commissions:

DB-1 20-0306 Enactment No: R-20-101 **Approved**

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

Resolution to Approve the Copozzo Annexation, 0.74 Acre, 1780 Scio Church Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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:

G The following minutes were received for filing:

Passed on consent agenda

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

- G-1** **[20-0200](#)** City Planning Commission Meeting Minutes - January 22, 2020
- G-2** **[20-0206](#)** City Planning Commission Meeting Minutes of February 4, 2020
- G-3** **[20-0273](#)** Election Commission Minutes of January 8, 2020
- G-4** **[20-0284](#)** Transportation Commission January 2020 Meeting Minutes
- G-5** **[20-0340](#)** AAATA Board Meeting Minutes - January 2020
- G-6** **[20-0343](#)** City of Ann Arbor Employees' Retirement System Board Meeting Minutes of January 16, 2020
- G-7** **[20-0344](#)** Retiree Health Care Benefit Plan & Trust Board Meeting Minutes of January 16, 2020
- G-8** **[20-0351](#)** Cable Communication Meeting Minutes May 1, 2019 and August 7, 2019

G-9 [20-0384](#) Commission on Disability Issues, January 2020 Meeting Minutes

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner addressed item CA-14 and stated the DDA should really be the entity to pay for new trash cans in the downtown.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi spoke about the City's response to COVID-19 and acknowledged other partners in the effort.

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 Hayner, seconded by Councilmember Lumm, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:00 p.m.

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

**LIVE: MONDAY, MARCH 16, 2020 @ 7:00 P.M.
REPLAY: FRIDAY, MARCH 20, 2020 @ 8:00 P.M.**

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

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

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

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

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