

ROUGHLY EDITED TRANSCRIPT

ANN ARBOR  
CITY COUNCIL MEETING  
SEPTEMBER 20, 2021  
6:30 P.M.

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>> Mayor Taylor: Good evening, everyone.  
Welcome to the September 20 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.  
>> Mayor Taylor: Would you our clerk please call the roll of council?  
>> Clerk Beaudry: Councilmember Hayner.  
>> Councilmember Hayner: Here.  
>> Clerk Beaudry: Councilmember Disch.  
>> Councilmember Disch: Here. 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.

Excuse me, here in Mackinac.

>> 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 Disch, seconded by Councilmember Song.

Discussion of the agenda?

All in favor?

Opposed?

Agenda is approved do we have communications today from the city administrator?

>> One communication, Mr. Mayor.

I want to highlight a metric of success that was brought to my attention today by the sustainability office, from the city solarized office which helps the residents install solar on their homes.

We helped to install two megawatts of local solar infrastructure, which helped to save Ann Arbor residents \$925,000 in energy costs.

Anyone interested in more information, go to [a2gov.org/solar](http://a2gov.org/solar).

>> Mayor Taylor: We have no other introductions and so we will roll straight in public comment.

Public comment general time, one need to have signed up in advance by contacting our city clerk.

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

877-853-5247.

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

That is, 94212732148.

Once you are connected, please enter 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's your turn to speak.

When it is your turn to speak, you will have three minutes in which to speak.

Please pay close attention to the time.

Our clerk will notify you when 30 seconds are remaining and when your time has expired.

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

Our first speaker today is Paul Zavala.

>> Clerk Beaudry: Caller with the phone number ending in 426.

Press star six to unmute yourself.

Go ahead.

>> My name is Paul Zavala and I live at 645 green road.

I'm one of the homeowners directly impacted by the flooding caused by the sand and debris from narrow gauge park.

My house sits right next door to our subdivision's detention pond.

When I first moved into my house 23 years ago, the creek running through our detention pond never overflowed.

The water was unobstructed and the water stayed within the banks the creek.

Now every time we get a heavy rain, my property gets flooded.

The flooding continues to get worse as more and more sand and debris enter my property with each rainfall event.

The recent heavy rains we encountered several weeks ago, caused the floodwaters to come within 10 feet of my basement.

The flooding was so severe that the water overflowed the banks of our detention pond and entered the Geddes lake condominium town houses on the west side.

I have documented proof of pictures and video of the numerous flood events that I can share with council upon their request.

I want to point out that I strongly disagree with the staff's response to council resolution r21326, that there are no interim measures that can be performed while an engineering report is prepared.

A simple interim measure is to install a bullet grate on the inlet pipe.

It will prevent debris from entering our creek, plugging our drain and flooding my property.

Similar bullet grates have been installed throughout the county with very good success.

It is my understanding that the city is charged with managing stormwater throughout the city of Ann Arbor.

This is done through a conveyance system of pipes and sewers throughout the city.

What I don't understand is why private property, mine in particular is part of the city's municipal stormwater system.

The detention pond or should I say just a natural depression of the soil, since nothing has ever been physically constructed is designated in the memo as an

in-line detention pond.

I never agreed to maintain, manage and be responsible for the city of Ann Arbor's stormwater.

Moreover, someone else's debris and sand.

Better solutions exist to manage stormwater and I urge council to implement a better system.

Thank you for your time.

That concludes my comments.

>> Mayor Taylor: Thank you.

Our next speaker is Milt Baker.

>> Clerk Beaudry: Caller with the phone number ending in 793, press star six to unmute yourself.

>> Hi, this is Milt Baker.

Can you hear me okay?

>> Mayor Taylor: Yes, we can.

>> My name is Milt Baker, I live at 628 Green Road in Ann Arbor.

I'm also president of the Forest Homeowners Association, and we are closest to the narrow gauge area.

Previously, I spoke to the council about the narrow gauge area, debris and sand from the park flow downstream through a drain tube under Green Road into a detention pond owned by our subdivision that Mr. Zavala talked about.

The detention pond overflows which has caused documented property damage, reference to pictures we have sent of the Geddes Lake Condominiums with around 2 feet of water in their garages.

Also the water flow in the park has been diverted due to the debris and it now runs very close to the basements of two of our homeowners.

Last year we invited Harry Sheehan out to the site to help us with what we can do to improve our detention pond.

What he told us is unless the city cleans up the debris and restores the stream flow and puts a grate, there's nothing much that we as homeowners can do to prevent the flooding.

With increased flooding we are experiencing, the property owners want an interim solution now before we incur more preventable property damage.

The issue becomes who is responsible for the situation.

Tonight, we're asking that the city stake the boundaries of their property.

Once this staking is done, we will be in the best position to determine what actions can be taken by the city, and what actions can be taken by the homeowners to resolve this problem.

Thank you for your kind attention.

>> Mayor Taylor: Thank you.

Our next speaker is Laura Loken.

>> Clerk Beaudry: Caller with the phone number ending in 153.

>> Hi, I'm Laura Loken and I live at 681 Sky Knob Drive, in the Geddes Lake Condominiums, and I'm wanting to speak today to address the multiple problems that we have had time and time again with flooding.

In our specific location here, our garage has been flooded three times. And my car that was in the driveway also received flooding it went into the undercarriage and the interior of the car, which caused a lot of damage. If you need pictures, video, we have that to provide.

At your request.

I'm not sure what to do.

The other residents on our street -- we are pretty good about checking the forecast and going out to the drains and making sure that they are clear the debris, and when we go there, we clear everything we check the retention pond and try to do what we can in advance.

But that's still not enough.

That is not enough, and we need the city to intervene and to provide a solution.

Thank you very much.

>> Mayor Taylor: Thank you.

Our next speaker is Ingrid Gunderson.

>> Clerk Beaudry: Caller 198, go ahead.

>> This is Ingrid Gunderson, homeowner downhill from forest homes in ward two. I'm responding to the narrow gauge report that's on the agenda for tonight's meeting.

Just released.

So little time to respond.

This is on that same retention pond for forest homes.

The problem we are having downhill from forest homes is water overflowing the western pond bank into the street and the neighborhood below and uphill into attached garages, and very close to surging within the living room, within the fraction of an inch.

This has been reported to the city by homeowners.

In the report analysis segment, it says, quote, there is no undesigned flooding that occurs in this drainage.

The instance of water being detained during and after rain event is not an instance of flooding as the detention basin is intended to detain stormwater during and after a rain event, end quote.

Water is not being detained at times, contrary to this report's statement.

The pond overflows on the west side.

At least four times that I personally know of and I don't even live on the closest street.

I can provide contact information.

You already have other offers of contact information, and photos.

Perhaps the water is lower by the time the city engineers come out a few days after the storm or maybe the pandemic has shuffled staff and communications, but please alert our city professionals I, with my neighbors have stood knee deep in water on a hillside during thunderstorms trying to make sure the grates are clear.

This is not safe and plug grates are not the problem anywhere -- anyway.

We have nowhere to channel this water.

In addition, there's a second and serious related problem, not mentioned in this property.

Another retention pond below, called lower lake off water edge road is starting this year to fill with sand at the --

>> Clerk Beaudry: 30 seconds.

>> -- at the mouth of the stormwater drain pipe which originates from the forest home detention pond.

My time is up.

Thank you.

Please look at both first and a second problem.

>> Mayor Taylor: Thank you.

Our next speaker is Larry Deck.

>> Clerk Beaudry: Caller with the phone number ending in 741.

Press star six to unmute yourself.

Mr. Deck, phone number 741?

Mr. Deck, please press star six to unmute yourself.

>> Okay.

I thought it was star nine.

Can you hear me now?

>> Mayor Taylor: Yes, we can.

>> My name is Larry Deck.

I will be speaking regarding the item CA-1 on your agenda, regarding redesign of the east medical center drive bridge over the railroad.

I will be speaking as an individual, because I'm a board member of Washtenaw bicycling and walking coalition, but we haven't had time to develop an organizational statement.

We didn't become aware of this proposed design contract until just a few days ago, however, the redesign of the bridge presents real opportunity to improve the biking and walking in the area.

However, if I understand the scope of services properly, it looks like some of the design decisions have been made before there's public input on that, on the project.

With a little bit of background, I think some of you people were on city council back in 2015, when the council passed a resolution, that improvements to the trail section in this intersection should be done before or concurrently with the program.

The A2Zero program will result in increase in bicycling and walking in the community.

The University of Michigan, the president's commission on carbon neutrality also calls for what they call a workable campus to north campus bike route.

What's needed are two things here.

First of all, the sidewalk on the west side of the bridge should be widened at least 5 feet, currently it's about 10 feet.

It should be made at least 15 feet so that there's room for bidirectional bike lanes and a pedestrian lane to make it safer for everybody.

The second thing needed is make the trail connections to the concrete pad underneath the overpass so that they -- the campus to campus bike route can have continuity.

And the good that we see in the scope of services is the desire to widen the pad underneath the bridge, that's currently about 11 and a half feet and make it 14 feet to make better connections to the trail system there.

This is an ideal time to act on improving this bridge and improve non-motorized biking and walking opportunities in the area.

I ask that you not take action on this contract, until we have -- until you have addressed the issues that I have raised here.

I'm happy to answer any questions that you have.

>> Clerk Beaudry: 30 seconds.

>> Mayor Taylor: Thank you.

>> Thank you.

>> Mayor Taylor: Our next speaker is Amir Fleischmann.

Clerk caller with the phone number ending in 632, Mr. Fleischmann, press star six to unmute yourself.

>> Hello?

I had there.

My name is Amir.

I'm a resident and renter in Washtenaw County, and I want to call speaking in support of the renters commission.

In my view this is a long overdue change that will give some relief and maybe a small transfer of power towards the majority of residents in the city who are renters.

I spent the last year, you know, in a really horrible battle with a landlord, who in my opinion are cruel and disdainful towards their tenants.

I felt that the law was not on my side and was totally unable to protect me from just the consequences of circumstances that completely outside of my control.

So a lot -- there needs to be a lot of changes to renters -- tenants rights laws in Ann Arbor and I hope the renters commission will be a place to start there.

Sorry about that.

I'm also a member of Geo's housing office and we are very much in support of the renters commission.

One thing that was brought to our attention today by a member of our union is that no other renters commission in the country currently has any seats available for landlords on the commission.

Geo was hesitantly supportive of having nonvoting seats for landlords because we did feel that some dialogue could be beneficial but give that we're a little bit worried that it would set a precedent for other city -- precedent for other cities putting in their own renters commission.

And we're not good for Ann Arbor to set that type of precedence.

We hope that councilmembers will reconsider at the debate tonight, whether they want to be the first ones to bring landlords on to renters commission.

Part of the need for the need is renters have little power.

Property owners have single seat on city council and renters need their own commission free from landlord involvement.

I will leave it there.

Thank you all very much.

>> Mayor Taylor: Our next speaker is ember McCoy.

>> Hi, everyone.

My name is ember McCoy and I'm a resident in ward 4 and I'm also a member of the graduate employees union at u of m.

And I'm also calling in today to share my excitement for the renters commission proposal.

I think the antidiscrimination and the early leasing ordinance changes that were passed by city council this city council are great examples of work that the city can be doing to protect renters in this town and the fact that the landlords are suing the city over these changes highlights the power that renter have been dealing with for decades.

As Amir mentioned, landlords are nonvoting members of the commission but I'm worried about the precedent it would set for Ann Arbor to have the first renter commission to have seats built in for landlords.

I wonder if that could be reconsidered.

In a city that's over 50% renters and no renters currently sitting on city council, the expertise that a renters commission can lend is truly invaluable.

I hope to see city councilmembers who are renters sometimes soon.

I'm looking forward to building on the policies that support tenants rights and I want to thank Mr. Radina who has been working tirelessly to get this proposal together and I'm excited it's finally on the table tonight.

I hope you can recognize the importance of this commission, and vote in favor of it later tonight.

Thanks again.

>> Mayor Taylor: Thank you.

Are there communications today from council?

Councilmember Nelson?

>> Councilmember Nelson: Thank you.

I have an update on the Churchill downs stormwater basin project.

We got an update just a couple of days ago that permits under place, but the actual project is likely to be delayed until the spring.

So now what we are looking at is that the basin project is going to probably happen at the same time as the Scio church road project.

So that's the update.

Thank you.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

Yeah, I would like to take a minute to the recent concerns surrounding safe house which provides support for those impacted by domestic violence and sexual assault in Washtenaw County and the surrounding areas.

In response to the conversation -- the concerns that have recently been raised,



I've had many conversations with county officials about these concerns, particularly regarding management and conditions at the center.

Following these conversations, I do feel confident that the concerns are being looked into with urgency and that necessary changes will be made.

It's important for people in our community to know that while concerns are being addressed.

They are committed to simultaneously providing services as necessary to people in need in our community.

County administrator Greg Dill assured me today that during this time, the county will be the conduit to provide services to those in need if necessary, and that quote, we will meet trauma where it exists in the community and we will respond.

So please if you or someone you know is in need of safe house services don't hesitate to call based on the concerns that you heard -- that you may have heard about, always reach out if you are in need.

>> Mayor Taylor: Councilmember Disch?

>> Councilmember Disch: I would like to give a big shout out to the trash talk tour that occurred on Sunday, on a beautiful day.

This tour was meant to showcase the resources that Ann Arborites have to live lighter on the earth.

And it was the project of the zero waste coalition, Washtenaw zero waste coalition, cosponsored also by the ecology center, Washtenaw County resources service, the -- it was amazing.

So many amazing places opened their door to the public to give an up close look at how recycling and compost work within the city and to talk about the innovations that businesses and the public schools are doing to reduce what goes to landfills.

So thanks to common cycle, the P.T.O. thrift shop and other circular economy businesses but I also really want to thank Dan Ezekiel, Andrea Garcia who designed a beautiful website, and Steve Brown who led people on their bicyclists. What happens to my table scraps trees and leaves at every stage of the process and thanks to Jenny Petoski and driver, Calvin bond gave me a tour of the recycling struck and Missy Stults led 18 trips up the landfill, one of them with me. I didn't make it to the school, but I understand that Mark Misty Braun provided musical entertainment and we have Erica Ackerman to thank for the super cool name.

Let's do it again next year and I will do more next year.

Thanks.

>> Councilmember Griswold: Before my comments.

I wanted to apologize I was having problems on a city computer.

There was a proposed item to the agenda.

We are going to consider that after council communications?

>> Mayor Taylor: I will take that as a question.

I concluded that that is proposed, the sponsor would at the time that the agenda is opened, ask to have it added to the agenda in the absence of, that I concluded it was a parking lot item there for public reference to be added to an agenda at a

later time.

If you wish to reopen the agenda, that's something that we can just do in the ordinary course of an ordinary vote.

>> Councilmember Griswold: Thank you.

And I know John Reiser is here.

I apologize, I was switching between computers.

I want to thank Councilmember Eyer.

Safe house is absolutely a critical source to our community.

And I did meet with the director on Friday and sent an open letter offer my assistance and those of others to help.

This is a good example of the community coming together, even

Congresswoman Debbie dingle has been working on this.

She's been a long-time supporter of safe house.

I'm optimistic that this will be behind us soon.

I want to thank the neighbors who came and spoke about narrow gauge way flooding.

I think this is a perfect example of sometimes we don't clearly define what problem we are trying to solve.

The most immediate problem is a grate over the culvert.

That grate had existed and I believe it was removed by a city employee some years ago.

Hopefully we can quickly address that.

I also want to thank staff for quickly getting a barricade removed that was on Yost in the commercial district near Washtenaw.

That has been moved.

Thank you very much.

When I was over there today to volunteer, I noticed people trying to cross Washtenaw again at Yost, which is not an official crosswalk.

And m dot has said they don't want to mark it because it's too dangerous, but it's used regularly.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks.

I want to thank everybody who came out and made the couple of events a success in kind of different ways this weekend.

The first annual entheogenic plants was really well attended.

A lot of public attention around the matter and a lot of effort for decontrollization.

You know, respecting nature, environmental movements and various causes that were represented there.

It's a pretty good time was had by all from what I'm hearing.

There's also some events in the library lot and kicking off peace week.

And kicking off things and the ways we have treated Native Americans and the land we have taken.

And there was interest about Yspi and all the others along the Huron River are considered sacred by the native peoples who still live here in our community.

Yes, I had some concerns with safe house.

I have been working behind the scenes to figure out what is going on and help them out.

I will email county administrator Dill and find out exactly what's going on there because that has not been my experience.

I know for a fact that some of these women that were cast out of the shelter over there are in siding in people's homes here in the community that people have stepped up to provide shelter for these women on their own and that the county has not been providing safety for those in need.

So I don't know what exactly is going on there.

If it's communications, a misunderstanding or these folks are not finding the right way to seek help.

We need to solve.

This.

We can't be putting the consideration and the help of our city and government are charged with and show some difficulties and more than it, it's really life and death matters here.

>> Mayor Taylor: Councilmember.

>> Councilmember Hayner: We should step up and take this.

It's bad news and it's serious business.

>> Mayor Taylor: Councilmember.

>> Councilmember Hayner: Yes?

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I know many of us have meetings with D.T.E. following -- regarding the caught 11<sup>th</sup> storms.

I just wanted to speak to that for a couple of minutes.

I was discouraged the team's response to the extreme storms and subsequent outages our community had in August.

It removed 25% of the tree canopy, rather than exploring other options than renewable energy sources and increasing staffing and strategic undergrounding, where power outages from tree damage is frequent and a more targeted approach to the health of the tree.

Not only does the current approach of removing 10 to 12 feet, create ugly streetscapes.

The approach D.T.E. is currently pursuing is not appropriate in tree city U.S.A. unless we are interested in modifying our logo.

Councilmember Radina joined me in calling for D.T.E. to help with these extreme practices in Ann Arbor and I have requested a meeting with D.T.E. and city staff to explore alternative approaches.

D.T.E. has agreed to meet and I hope they come to the table looking for productive solutions.

I'm mentioning all of this tonight because I may be coming back at the next meeting with a resolution asking if these conversations are not productive, to help D.T.E. these extreme pruning practices and take on more thoughtful approach in our community.

So I will keep you posted on how those conversations go.

>> Councilmember Grand: In the next meeting or so, please look out for an attachment that will have an optional check list that Councilmember Eyer and I have been working on it won't be a vote, but some guidance to promote better process before we bring resolution or ordinance changes to the table and also keeps additional transparency and what problem you are trying to solve and who you worked with.

, et cetera.

So looking forward to that in the future.

I don't think anyone mentioned, it but we will be interviewing candidates for the interim city administrator tomorrow, all of us as the council at 4:00.

We will be doing those two interviews.

Councilwoman Griswold also mentioned the tree.

I wanted to acknowledge, but I don't have a solution, but talk about committing from community standards that we read about today about people who are leaving free items out.

I know that really is in line our sustainability goals.

So we want to be looking into that and not penalizing residents.

If your neighbors are doing that, please don't complain.

Just go talk to them.

They don't deserve a \$100 ticket for that.

And lots of road construction mapping this fall on the southeast side of town.

Thanks.

>> Councilmember Song: I wanted to thank Councilwoman Griswold's comments to thank those of narrow gauge for calling in.

It sounds like this is a long-standing issue that we need to approach and they might not be tracking, you know, previous city council discussions and water -- who is in charge of which water and how we can approach it.

So I will reach out to Councilmember Griswold and try to see if we can get a date on the books and work with acting administrator John Fournier and see if we can pull something together sooner rather than later.

A note that this Wednesday, the Ann Arbor district library is hosting Nicole Hannah Jones at 7 p.m.

I will encourage folks to attend there's also a virtual option.

It's one of their -- another program offering as part of their Black Lives Matters work in considering that we are expanding our D.E.I. efforts in the city.

I would love to see everyone's participation.

It's a nice -- it's also a nice follow-up to their -- the June program that I had mentioned back in June, council notes on Carol Anderson's white rage, the unspoken truth of our racial divide.

I encourage you to follow up and attend that.

It's really amazing that she's here in Ann Arbor and excellent opportunity for all of us to learn.

Thanks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Good evening, everyone.  
Just in response to a few things that were spoken here during communications.  
If my colleague in the 5<sup>th</sup> ward would also include me on those discussions with D.T.E., as those are happening, mostly in the 5<sup>th</sup> ward and the first ward, I would like to know if I could be included on those discussions before anything is brought forward.

Secondly, when it comes to the recommendations that Councilmember Grand had suggested, a check list of sorts, I just want to make clear, this is not any action that's being brought by the admin committee.

This is work that's being done by individual councilmembers.

So this is not coming forward by the admin committee.

And I would like to stress the importance of staff to be included with that list of recommendations or advice.

I think it's a little bit too late.

I wish it was circulated eight or nine months ago.

I think by now most people have learned through hard knocks.

Another issue is with folks leaving unwanted but still good possessions on the right-of-way.

I think we have seen an uptick of this because of the closure of the reuse it center on industrial.

Many people in our community have things that are still valuable and have a useful life.

I think we should be taking this conversation maybe to O.S.I., to look into maybe developing a repository of sorts, municipal repository to allow folks to bring things that have useful life to them and don't want to take it to the landfill but I don't know if the current practice leaving it on the lawn extensions is what -- is the best practice.

>> Mayor Taylor: Councilmember?

>> Councilmember Ramlawi: Is it three minutes or two minutes?

>> Mayor Taylor: Two minutes.

>> Councilmember Ramlawi: Oh, okay I will finish up at the end of the meeting.

>> Mayor Taylor: Further communications from council.

I would like to recommend the following dominations to the economic corporation board, Larry Eiler and also too Paul Krutko.

I guess I also as a -- I would like to echo in particular, Councilmember Eyer's statement with respect to the importance that it's known throughout the community that in the event that you are suffering domestic violence or suffering from sexual assault that you are a survivor of these crimes, that you do have a place and that place is safe house and, you know, you will be cared for.

Obviously there are conversations ongoing.

Our good friends at the county are paying attention to this.

Much who provide human services that we as the municipal organization do not.

We are committed to make sure that folks who need support have support.

So please, if you need these services do not hesitate.

We now have before us the consent agenda.

May I have a motion to approve the consent agenda.

Moved by Disch and seconded by Nelson.

Councilmember Nelson.

>> Councilmember Nelson: I would like to pull CA-2.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: I would like to pull CA-1.

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

All in favor?

Opposed.

Consent agenda the exception of CA-1 and CA-2 by 11 councilmembers present, all voting in the affirmative thus satisfying the eight vote requirement with respect to CA-3, CA-7, and CA-8.

CA-2.

Resolution to approve a contribution with Traver lakes community maintenance association regarding the replacement of a sidewalk on Traver boulevard between lakehurst lane and Nixon road, in the amount of \$56,000.

Moved by Nelson and seconded by Disch.

Discussion of CA-2.

Councilmember Nelson?

>> Councilmember Nelson: Thank you.

I have a quick question.

I left for work a little too fast on Wednesday to get my question in and the same this morning.

It's explained that the condominium association is paying for what would be a cost of an asphalt replacement path and we are paying for the difference between asphalt and sidewalk.

I'm curious if staff has a balance part estimate of what that difference is likely to be.

>> I don't have it at my fingertips.

I seem to recall that it was about 50% of the total cost when we figured everything in.

>> Councilmember Nelson: So they are contributing like a little over \$50,000 and it's about -- a little -- it's about \$50,000 to upgrade to concrete.

Is that what you are saying?

>> Yes, total cost was around \$110,000 if that makes sense.

>> Councilmember Nelson: Thank you.

That's something I was curious about.

There was questions about replacing asphalt with concrete sidewalks.

Just a curiosity.

Thank you.

Had.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

It is approved.

CA-1, resolution to approve a professional services agreement with DLZ Michigan Inc. for engineering design services the E. medical center drive bridge rehabilitation and widening project, in the amount of 1,011,319.

Councilmember Briggs?

>> Councilmember Briggs: Staff has provided a lot of answers to my questions already which I shared with counsel six I still continue to have some questions about this project that I'm hoping that can be responded to.

Namely, they are sort of three parts, what's -- you know, what is influencing our decision to pursue widening in what are the factors behind that?

And then what are the factors that are informing staff's recommendation that the bridge widening is only to add motorized capacity as opposed to adding additional space to my improvement on safety and access.

And then finally, why is it that the roadway design already seems to sort of be predetermined in the scope of services?

I may have some follow-up questions as well.

>> This is Nick Hutchinson, city engineer.

So let me start with part of that.

I might have to ask you to repeat some of those.

I apologize.

The project started out as like -- as a rehabilitation of the bridge.

Some capital maintenance work needed to be done on the bridge to keep it in good repair.

U of M requested widening the bridge to increase the capacity of vehicular traffic coming out of the -- of the hospital area, and offered to pay for the -- the cost of the widening.

As well as half the price of the -- of the cost of the -- of the rehab of the bridge as well.

So the genesis of the widening comes from the additional capacity to get vehicles in and out of the hospital more efficiently.

Overall to address kind of the bigger picture here, with the non-motorized pathways, this project is looking at the -- making sure that we design this bridge when we rehab it in such a way that he can -- that we can run a pathway under it, in the future.

But most of the rehab that needs -- but most of the nonmotorized path needs need to be addressed when we look at the intersection as a whole.

This project only addresses the bridge and the south side of the intersection.

Future project to reconstruct or reconfigure that entire intersection would take into control, the border connections on the north side and the pathway on the south side as well.

I probably didn't answer all of your questions there.

I -- you could maybe guide me as to where I haven't covered it yet.

>> Councilmember Briggs: Yes, the only other thing.

Thanks for the answers.

The other piece seems to be the scope of services for the design in terms of determining how that space, that extra width is -- how that extra width is going to

be used.

That needs to be predetermined, and I'm curious --

>> Mayor Taylor: You are at three minutes.

>> Councilmember Briggs: Okay.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: Thank you.

And I heard what was being said from an engineering standpoint, but the need for non-motorized paths between north campus and the hospital and central campus has been something that we have discussed for many years and it never seems to be the right time to do it.

So I will not be approving this project unless it includes the non-motorized pathways.

I think that this is extremely critical for the safety.

It means more people would be using non-motorized transportation, not taking buses or not taking cars and one of the things that is just in the preliminary stage, but is requesting that the university provide land for 2,000 to 3,000 workforce housing units on north campus, and this, I see as a proactive move so we don't get to the lawsuit stage that Berkeley has.

And if we're going to be adding workforce housing, again it's critical that we have non-motorized transportation paths that are safe and the last thing I will mention is I have turned in many a2fixit tickets.

The street lighting is not adequate at that intersection and the university has added two parking structures.

So there is pedestrian traffic 24/7, much of it third shift workers, and the lighting needs to be improved so at least as positive contrast L.E.D. lighting and it should be best standards not just minimum standards and it's not minimum standards now.

Thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I wanted to thank Mr. Hutchinson for being here for answering questions.

The thing that's worrying me a lot is I can't envision how I'm going to commute and how others are going to commute on our bikes from Pontiac trail, for example, to central campus with only one sidewalk open.

And I understand that you probably can't keep both sidewalks open on either side of the bridge while this work is being done.

But I just can't even picture what's the route that I'm supposed to take.

Is it thought that we'll whip up to main -- go around Argo and go up to main street?

That will add a lot to people's bike commutes.

>> I will note that during the construction of this project which is scheduled for 2023, we will be doing work just on the east medical center drive bridge which is the -- the -- the south leg of the intersection, essentially.

All the other -- all the other quadrants of the intersections will be open.

This would only be the bridge south of the intersection as it approaches the



hospital that we will be working on.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks.

I will take up where Ms. Briggs ran out of time there.

I think that -- I think the question that she was getting to was, is this predetermined?

Is this driven by the notion that more vehicles need to flow in and out of that hospital?

Is that a predetermined notion here?

Is the design focused on that?

Or is there room in this project to take into other considerations what we have non-motorized.

I'm concerned about the border to border trail.

As I pass through that intersection, maybe once a day, not always, I do see there are challenges on narrow sidewalk.

We have bikers working their way up the hill and biking up the hill is not all straight line affair.

It just isn't.

Like you need more room when you are going up the hill than if you are going down the hill or straight.

And so these concerns are legit.

And we had some emails from folks expressing them in various ways and I agree with what councilwoman Briggs has said.

I hate to see this move forward as, hey, we're putting another giant lane here and with zero consideration of our city's other goals.

I think that every project that we do should be in consideration of our future goals and so I just -- I just -- hopefully that's what you are getting at and, yeah, I don't know how to answer that question.

I don't know who could answer that question but I think it's a legitimate question.

Are all engineering projects moving forward, taking a holistic approach to meet our city goals for non-motorized transportation?

>> Yes, I would say our projects definitely do in general.

In this case, in particular, we do have an unusual situation here, where we have a bridge that crosses over and immediately the other side of the bridge is where the city's jurisdiction ends and the university's jurisdiction begins.

So I'm actually going to turn it over to Mike Rein from the university to talk more about that side of thing.

Mike?

>> Thanks, nick, hello, everybody.

Happy to be here.

I'm joined by our campus planner, Sue Gott and one of the things that we -- you know, should be clear is that we have been working with the city staff for a couple of years on this project in different forms.

And this is a precursor to additional work on the intersection, and this widening as nick said is to increase the traffic flow, but it's also really more about -- it's not

just a capacity issue.

It's about a safety issue.

There's a lot of pedestrians crossing this intersection.

We need to be mindful of the -- of the -- the entrance to the -- the public safety involving ambulances and the patients coming in and out of the -- the emergency department, children's hospital, university hospital, it's a highly congested area. One the things that's really important and I don't think anybody was glossing it over, but as it says in the -- in the city council resolution, this bridge is almost 40 years old, and it is in dire straits.

It is failing.

And so there's a level of urgency on our part that I will not speak for Nick or Craig or anybody, but we all share in that because we have seen the reports.

So there's a lot going on, but this is really a part of being able to take the next step which will be another project and that is the intersection improvements, which will involve all sorts of whether it's just -- it's just pedestrian and vehicular flow as well.

That's the next step this the city and the university will be discussing once this goes through.

Sue, do you have anything to add?

>> Yes, sure.

So good to see many of you.

I haven't seen you in quite a while.

So, you know, a bridge is a little different than a road, because it's a structure. And we do not want to have to come back five years or ten years after the bridge has been rehabilitated if and when we elect to ever widen East Medical Center Drive in the future.

So putting in an extra lane now gives us flexibility for future expansion of the East Medical Center Drive if and when that ever would be needed.

It's pretty much at capacity now though, but without the intersection improvements, it probably wouldn't be activated.

But I think it's just good, you know, capital improvement if you are going to be spending as much money as is needed on a bridge rehabilitation to be thoughtful about putting flexibility in to what might be needed in the future.

So I think -- I think for the university, we're -- [ No audio ]

To anticipate increased -- [ No audio ]

So would require today's dollars to be ripped -- [ No audio ]

If we need it in the next few years?

>> Mayor Taylor: Councilmember Ramlawi?

>> Councilmember Ramlawi: The screen keeps moving.

Good evening.

Thanks for being here, Ms. Gott, Sue and Mike, and others to answer these questions.

It wasn't as obvious now listening to feedback here, where this is all at.

Shedding more information on it.

I know the university has started construction again of the new patient tower and

that's going to be a substantial building that will bring a lot more traffic to the medical campus.

And I guess there's a few things here.

You talk about the future improvements to the intersection.

Is this new structure, you know -- those improvements, are they predicated on this new structure that's being designed or proposed to be designed and then I have other questions with the construction of the bridge.

Is there a 40-year-old bridge that needs maintenance every 12 months.

What are the caring costs and maintenance issues with this bridge and what level of grade did that bridge get in the last inspection?

So a few question, I apologize, the last one to the city half and the prior ones to the university officials.

>> I want to jump in counsel member Ramlawi and talk about the condition of the bridge.

It's not failing.

It's true, it's coming close -- it's closer to the end of its life than it is to the beginning.

The bridge is inspected annually.

I will ask nick or Mr. Rein or Ms. Scott to talk about the work that's done to keep it up to standards.

I don't want the residents to be concerned -- officially, I wouldn't define it as failing.

Now is the time, I think, to re-invest in the bridge and fix the infrastructure and bring it to a state where it has many, many years of life in front of it.

But I don't want people in the public to be concerned about the condition of the bridge today.

And nick, if you would like to provide some more detail on that, please.

>> Yes, John hit the nail right on the head there.

I don't have the actual score in front of me right now of the bridge, but I can say in terms of what is needed to upkeep, it this project is what is needed to upkeep it.

On bridges, there's not -- there's some little things that can be done but after some time, you know, things wear down and need to be replaced.

This is the project to maintain the bridge right here.

And I will turn it over to sue or make for the other part of the question.

-- or Mike for the other part of the question.

>> I think sue is having trouble with her coverage.

Ali, the -- the bridge proposal, again, working in collaboration with the city staff, does take into account the growth of the hospital.

And certainly, the new clinical inpatient tower is part of that.

But as sue said, without the clinical inpatient tower, east medical center is at capacity, and so that problem and the growth of the hospital is going to make this bridge project even more important.

And sue said something very important that a bridge is very different from a flat, you know, intersection or road widening or anything else.

This is a structure.

And I would like to thank John for correcting me about failing.

I realize that's a word, to say deteriorating and in poor condition.

But sue, how would you address Councilmember Ramlawi's question about the impact of C.I.T. on this?

>> Well, we will see patient trips spread across the day.

But this is not a direct improvement to the clinical inpatient tower.

This is really a necessary infrastructure improvement to project long-term flexibility.

It would just be an unwise use of capital dollars to make a huge investment in renovation that would then have to be essentially or a portion of it ripped up to later widen.

It's giving us flexibility, but it's not a plan today to widen the road, but I think Mike tried underscore my earlier comments that it's really important with the acute critical care that is located at the hospital that we ensure safe, not just mobility for through movements but turning movement, turning movements into radiology and oncology and into both ERs, [ No audio ]

All of those restrict the movement of the through movements.

And if we add the pedestrian crossings, ambulances, and the heaviness on transit, it's just a very robust, complex operation that we aspire to ensure long-term safe --

[ no audio ]

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

I feel like it's disappointing that this came to us with no little data.

Explaining why a road widening is necessary.

Road widening really goes against a couple of primary goals in the city, vision zero, and our climate action A2Zero plan.

And so -- in order for me to, you know, approve a -- to proceed on a road widening, I would want to see why that is necessary and why we'll work against some of our stated goals no to do that.

I don't see any data accompanying this proposal.

You know, further, you know, this -- it -- it's -- it feels like it's not ready for prime time.

So I guess I'm just going to move to postpone this.

You know, the other thing that I'm vexed to see with this is that there's no official non-motorized and pedestrian plans, how that's going to be integrated.

And, again, no for -- in order for me to go against A2Zero and go against vision zero and approve a measure that will look at widening a road, and then on top of that, to not have any initial plan for non-motorized or pedestrian infrastructure, it's a no-go for me.

Again, I think there's more work to go to be done on this before it gets brought back to us and I move to postpone it.

>> Mayor Taylor: Will you have that time for that?

One meeting or two meetings?

>> Councilmember Eyer: Mr. Fournier, how many meetings do you think is necessary?

>> Well, I think that that depends on the specific direction we get from council on the project of -- I would advise against a general postponement and instead ask for a postponement for how the project could be corrected, and I will defer to Mr. Hutchinson on who specific timelines might be required depending on the request.

>> Councilmember Eyer: So my request would be that we receive data that provides evidence for the need for widening in the first place, and two, that the request and that this -- you know, if that's deemed necessary, and agreed by council, that we -- that the professional services agreement include plans for pedestrian and non-motorized infrastructure.

>> Mayor Taylor: Is there a -- that sounds like a little bit -- how about we postpone it two meetings to the second meeting in October.

Is that all right from a staff perspective?

>> Would we -- let me ask nick.

Would we still be able to keep this project -- if we are able to make those amendments and that time period, would we be able to keep this project on track on that calendar?

>> I think we probably would.

I think we could probably work this a one-month delay.

There should be enough float in the schedule in order to accomplish that.

I'm also going to look to my colleagues at u of m to make sure that we can pull together the information requested in that period of time too.

>> Well, we will do our best.

It's a little bit open ended.

One the things I want to make sure that the councils is there are sidewalks on both sides of the proposed expansion.

So pedestrian access is there.

It's there now and it will be maintained.

So I just want to -- I don't want that lost and delay this because there was that misunderstanding.

So, again, if the motion is on the floor, I respect that, but I just want to make that clear, that that's part of the process here.

>> Mayor Taylor: All right.

So we have a motion to postpone to the second meeting in October for the purposes articulated by Councilmember Eyer.

I have a second from Councilmember Griswold.

Let me suggest this.

My belief is that everybody pretty much, it's -- my sense of the group is that that postponement will be acceptable and my sense of the group is that each of us has an individual set of questions and things we would like to know.

If it turns out that that's the way it is, I guess I would suggest that we lob those questions and into staff on the quick so that they are able to take care of that and we can talk about it now and we will, of course talk about the postponement now,

but I think that would probably be more efficient than talking through our questions here, but that's just my two cents.

Councilwoman Griswold with respect to the postponement.

>> Councilmember Griswold: Yes.

And I am looking for below grade crossings.

My primary objective is to prioritize pedestrian and cycling safety and give it the same value as motorized transportation, which we have done in the past.

So below grade and low illuminations.

When I talked about the units of workforce housing, I'm talking about private developer built on university land built or leased.

I understand the constraints of the university to build workforce housing and the restrictions at the state level.

Thank you.

>> Mayor Taylor: Councilmember Briggs on the postponement.

>> Councilmember Briggs: I think that makes sense.

I will expand on that list.

I definitely -- I think that the widening could be beneficial if it's used to address needs that we know we have, which are based on our recently adopted transportation plans and university's carbon neutrality plan and the city's carbon neutrality plan.

So I think there seems to be non-motorized travel will happen at the border to border trail and I think there needs to be real consideration of how folks will get across that bridge -- how we are improving the safety north and south as well.

I would like to see the connection, underneath on the north side, I would like to see in the widening is moving forward that it is explicitly for moving forward our -- that that design around non-motorized is something that is included in this piece and I will add some other items later.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I just wanted to say some of the concerns I'm hearing in the community about the widening are -- they mostly have been stated but really about adding a turn lane makes it for dangerous for cyclists and pedestrians and so it's not that we don't want sick kids to get emergency care quickly.

It's that we don't want someone getting hurt when that's happening.

So -- and just with more and more housing being built in that area, having, you know more pedestrians and cyclists coming through in both directions we just want to make sure that we are not adding a turn lane that will be dangerous.

So I'll be supporting the postponement, looking forward to the conversation in the future.

Tame Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah.

I think there needs to be a bifurcation of the issues presented tonight.

I think there's a proposal to restore or rebuild the stated structure, and I understand the concerns the community and the council and myself about the safety of the pedestrians and cyclists and how the traffic flows and the patterns

will be, and that's an ongoing conversation.

As we can tell, it's ongoing throughout our community.

I just -- I'm concerned that we're kind of just starting to throw on a lot of things to this postponement here, and I want to make it real clear as to what we are expecting in two meetings' time from the university when we come back that we don't move the fence posts and then two months' time or two meetings' time don't receive something that satisfy us or the body and then we delay the construction of this critical infrastructure project.

I know we're always going to have competing interests.

That's policy setting.

There's always going to be competing interests and some that lose out to others, but hopefully we get what is best for the community.

And as we know the University of Michigan hospital system is critical to this community and this region, and so I think we need to be very sensitive to that issue and, you know, I also ask for better clarification as to what we're looking for with this postponement, and aside from that, the concerns about traffic patterns. The city still does control that in the future if there's a change in traffic patterns that flow -- are -- do our engineers have control over that or University of Michigan control that because it's on the medical campus?

>> I can address that last question.

The intersection itself is under the city's control.

Beyond the bridge to the south, the roads to the university, so the traffic flow, you know, there is under their jurisdiction.

We coordinate on these things and try to make sure that the traffic is -- is working on both systems at the same time.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I understand everyone wants to postpone this to get all of their, you know, promotions in for the various non-motorized causes and, of course, I'm concerned about that too.

When you look at the scope of work that's attached to this resolution, I mean, it speaks pretty mightily to them looking at these things.

I mean, the bridge rehabilitation, the intersection study areas are well in extent of that.

They are going all the way down to Broadway and when you look at the -- the scope of work that talks about widening pathways for B2B future connection.

It talks about all sorts of things that we're asking for already.

And so I'm not sure -- I mean, 12 meetings with city and state agencies, 50 meetings with conference owners and 12 meetings with various holders, six progress updates and regular meetings with planning commission, and city council.

These are all part of the scope of work.

Wouldn't that be when these things are taken up?

I don't know that we need to delay this.

I think we made our point that these are our concerns.

>> Mayor Taylor: Mr. Fournier.

>> I just want to know that I have been taking notes and pursuant to Councilmember Ramlawi's discussion about what the instructions are from staff. From what I have gathered, it's delay for two meetings, show studies and justifications for adding of the lane and how that might contribute to better safety and traffic conditions on the road and explore the recommendation for adding non-motorized options, both east-west and north-south. I think we can have that exploration from staff and provide it back to council in two meetings' time.

>> Mayor Taylor: On the postponement.

I don't mean to be chiding you, but we have been straying.

>> Councilmember Briggs: I want to speak to Councilmember Hayner's concerns about why we need to postpone.

We received a proposal for an every\$8 million project that currently has not gone to transportation commission, and actually in the scope of work doesn't suggest going to transportation commission.

We have a bridge widening which has no data to support it and in terms of what happens with that design, we are getting feedback from staff that the design is already set in terms of what happened on that roadway.

That seems surprising because the design that's set is conflict with the plan that we just passed in June of this year about what we want to see specifically in that area.

So those are my concerns that want to see addressed in the postponement and why I think it's necessary.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I would like to ask the officials from University of Michigan if this gives you enough time to respond to the concerns and the amendments to the resolution and the postponement.

>> Mayor Taylor: Ms. Gott.

>> Thank you.

I wasn't sure if it was appropriate.

[ no audio ]

>> Mayor Taylor: Ms. Gott, if you turned off your video, then we might be able to hear you.

>> Sue, you might have to cut your video.

>> Mayor Taylor: We are having difficulties hearing you.

>> Yes, apologize.

Is this any better?

>> Mayor Taylor: It is so far.

>> Thank you.

>> I just -- I just want to make sure that folks understand that one the concerns with the next inspection on the bridge if further deterioration is found, that weigh restrictions could be set in and although we certainly hope that won't be the case and staff has felt fairly comfortable about that.

We also know that you want to maintain a good and safe and working bridge and recall back when stadium bridges were getting ready to be constructed and this



was a point where weight restrictions did need to be improved there. Weight restrictions and limiting the bridge without a chance for us to plan for detours, mitigating strategies will just be really challenges for patients and ambulances.

That's one of the reasons why we are anxious to see work move forward.

I think we can provide the documentation that you are asking for, but, again, we don't have a firm project.

We are viewing this widening as future flexibility, if we are contributing money now not to have good money be wasted if and when a widening to be needed depending on patient care.

Sorry about my microphone.

>> Mayor Taylor: No, no, we could hear you.

>> I would ask for one indulgence here.

It assumes that is a University of Michigan initiative.

But this is a city collaborative.

I have too much respect for nick and his staff and Craig and his staff to -- we wouldn't have gotten here unless they supported the widening.

This is not only to get us this far, it's a collaboration, we are collaborating on the fee for the design fee, and we're going to be collaborating on the construction of the bridge.

So thank you, mayor, sorry about that.

>> Mayor Taylor: That's all right.

Further discussion of the postponement.

Roll call vote, please, starting with me.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: No.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: Thank you very much, we now come to a set of public hearings.

Public hearings are an opportunity for the public to speak to the council about a specific matter.

You need not to 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, 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 further, press 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.

When it's your turn to speak, you will have three minutes in which to speak.

Please pay close attention to the time.

Our clerk will notify you when you have 30 seconds remaining.

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

Public hearing number one.

An Ordinance to Add Sections 10:147 and to Amend Sections 10:1c, 10:90, 10:97, 10:146, and 10:149 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor.

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

Seeing no one, this public hearing is closed.

Public hearing number two, An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of the Ann Arbor City Code.

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

Seeing no one, this public hearing is closed.

We have before us the regular session meeting minutes of September 7, 2021, may I have a motion to approve these minutes.

Moved by, Councilmember Disch and seconded by Ramlawi.

Discussion, please of the minutes.

All in favor?

Opposed?

Minutes are approved.

B-1, An Ordinance to Add Sections 10:147 and to Amend Sections 10:1c, 10:90, 10:97, 10:146, and 10:149 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor.

Moved by Councilmember Disch, seconded by Radina.

Discussion of B-1.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I understand that came through the transportation commission after much discussion and debate on issues.

Did I bring up the concern I had with scooters on the sidewalks in downtown.

I continue to have concerns, as I read this ordinance, these things are not regulated for speed.

In fact, many of these devices can be purchased on Amazon and there will not be any governors pertaining to those speeds.

I know there was staff's response that there was geofencing to govern the speeds.

My concern is those that are privately owned and operated.

And I heard from pedestrians who have had commissions with these devices -- collisions with these devices.

And furthermore, and this is nothing I would want to legislate, but I also believe that there's an equity issue here with these devices.

I don't think they are for everybody.

They are for people with smartphones, credit cards and access to, able to use. So for those like net neutrality, I use the same analogy.

How everyone deserves the same access to the public right-of-way.

I feel these scooters on our downtown highways, allow people with more access more access.

And just the speeds are too much, you know, and I have spoken with the city attorney, Mr. Reiser earlier today to bring some amendments to address this concern.

I'm not sure what the staff or the city attorney's office would propose.

I'm not comfortable supporting an ordinance that has no speed limits for these devices on our downtown sidewalks.

I see Mr. Hess is here.

I appreciate that.

I'm not sure he would like to maybe help me Shepherd a conversation, an amendment on how to address the concerns I have.

>> Yes, thank you, Councilmember Ramlawi.

Raymond Hess, transportation manager.

This was discussed at length with the subcommittee of the transportation commission that was looking at proposed ordinance.

We discussed speed limits in great length.

There was a discussion of putting a speed limit on how fast people can separate on the sidewalk.

And ultimately, that was not pursued further for a couple of reasons.

One, there was a question about enforcement and the ability to do enforcement. You know how would we regulate 7 miles per hour, for example, or 5 miles per hour on the sidewalk?

You know, who would be out this monitoring that and writing those tickets?

That was part of the discussion.

And then the other discussion was centered around -- there has been some concern in the community about roads that don't feel comfortable to like on or ride scooters on in the roadway.

So, you know, if we take downtown, for example, the characteristic of liberty is different than Huron.

And people may not feel comfortable using scooters on Huron.

The version you have before you is meant to address some of those by making sure that vehicles -- that the operators of personal mobility vehicles do so in a responsible way, give notice to pedestrians when passing, and some of those provisions but we ultimately shied away from the inclusion of a speed limit.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thanks, I hope you took the time to read the lengthy

email from Kent Clark.

Kent Clark, besides being a neighbor, I have known, I don't know, 20 years now.

He's -- I really look to him for his advocacy on cycling.

He bikes the talk, I guess might be the expression.

He rides his bike to work every day.

I see him all the time.

He and his family are legit advocates for this -- these goals that our communities have.

And I think he has legitimate concerns in the email, encouraging this use and putting these bikes -- the scooters up on the sidewalk, it doesn't -- it doesn't seem like the safest route to go.

I'm not sure that this is a well thought out plan here.

And, you know, even the things he said -- and we don't always agree on everything.

I look to him for his guidance.

It reiterates my concerns that our planning and zoning designations are preempting this type of thing that we are about to pass tonight, I presume, by stuffing these buildings up against the sidewalks and not leaving room for future motorized expansion or lightly motorized transportation as the case may be.

And so I'm not comfortable voting on this in the affirmative tonight.

I want to say that and I think he brought up some good points and I think the transportation commission should take a look at what he said.

And I want to thank Mr. Reiser for getting back to me in how this is in conflict with various state laws.

I want to say that.

I'm not sure this is all that it's cracked up to be, this resolution.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: If I can allow our city administrator to speak?

>> Mayor Taylor: Mr. Fournier.

>> Thank you, Councilmember Ramlawi.

I appreciate that.

I just wanted just a couple of notes on the ordinances.

There's a section of the order which requires people operating personal mobility vehicles to yield to pedestrians.

If we are looking for an enforcement mechanism.

That's a powerful one to ensure safety on the sidewalk.

That was a subject of much discussion with transportation commission subcommittee that drafted the ordinance.

I think that's worth highlighting for members of council.

And beyond that, there's some other provisions in the ordinance that I will codify in city code, some of the practices we put in place with spin and bird.

And allowing us to seize scooters if they are not being operated or parked properly and giving us some more solid powers within the city code to impound and potentially auction those vehicles in the time comes -- ever came for us to be

able to do that.

I want to point out the importance of those provisions of ordinance as well.

I do have a quick question for Mr. Reiser.

I recall that its state law that allows these personal mobility vehicles to operate on sidewalks absent a traffic control order.

Am I recalling that properly, Mr. Reiser?

>> Well, I had to look to see if the state law defines personal mobility vehicle again.

Again, we defined that.

>> Right.

>> I did get a copy of Mr. Clark's email, that he sent owe sent apparently to all of you.

I got it from Councilmember Hayner.

And I didn't think that we were conflicting with state law, and, in fact, in our ordinance we recognize that state law still applies.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I will say there are many cities, including New York and Chicago that do not allow these on sidewalks.

There are many municipalities and states and a wide range of ordinances that govern these escooters.

I understand that there's a provision to yield to pedestrians but being in downtown 300 days out of the year, and seeing hundreds of these, I have yet to hear anyone say when they are coming up behind someone.

I see countless people, two-on-one, even though that's against the ordinance.

I will say that I never see riders under 19 with he will Mets -- helmets.

There are so many violations that go along with escooters.

Enforcement is a problem, I agree, but that shouldn't be a deterrent and I don't think that should be an omission of us doing our job of putting that in the ordinance.

If we allow these things to be on our sidewalks, we should put into the protections that protect everybody.

I make a motion to refer this back to the transportation commission so the transportation commission can hash this out and bring it back to council so that it has the blessings of the commissioners and not just something -- a change that was made at the table.

So I make a motion to refer this to transportation so that this aspect of this ordinance change can be addressed in a reasonable and responsible way.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Griswold.

Further discussion of the referral?

I have Briggs, song and Radina who wish to speak on the referral.

Councilmember Briggs.

>> Councilmember Briggs: Yeah, I appreciate Councilmember Ramlawi, your concerns on this.

I think you are absolutely right.

There's conflicts and concern around speeds.

I would say that Mr. Hess spoke to the fact -- I wasn't on transportation commission the whole time, this was being considered, but this really has been wrestled with in transportation commission.

We actually had a version that had the speed limits in that.

We debated the merits.

And we got information from the thoughts about enforcement from the police department and we ultimately acted to pull that out because it was determined that enforcement would be challenging around speeds.

So there's conflicts on roads as we know, between users and -- and drivers and cyclists and ultimately, we set rules and work around this.

While I understand the desire to refer this back to the transportation commission, I would say this is what transportation commission has provided after wrestling with those issues and debating at length over three years.

So I'm not sure that you're going to get a different recommendation if it goes back.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, mayor.

I guess I share concerns about, you know, some of these devices being on busy pedestrian-heavy sidewalks downtown.

But I think there are huge sections of the city where this does make some sense and -- and I guess I'm wondering maybe this is a question for attorney Reiser.

I'm looking at this, and one of the clauses here allows the city council by resolution to designate locates and times at and during which personal mobility devices may not be operated and the restrictions contained in such resolution should be posted on signs in the area.

Does that allow us to designate huge swath of downtown as being off limits?

>> Yes, we already have and Raymond Hess can weigh into that.

With respect to speed limits, I will say that did come up and the police were allowed to weigh in as well, and they brought up the practicality.

I will point out that in Section 10.47, it says every charge of a violation of speed limitations, the citation shall specify the speed at which the defendant is alleged to have driven, also the speed applicable to the district or the location.

So they are going to expect a speeding ticket with some sort of radar or LiDAR reading and that's possible, but I don't know how practical it is for those interactions and therefore the general protections that are contained in 10.147 about, yielding the right-of-way to pedestrians, giving audible signals, paren two, what you are talking about Councilmember Radina about the control device or the control order.

And then we also have the provision that a sidewalk that will not operate in a careless and negligent manner.

That that standard was reduced from a more reckless driving to pedestrian careless or negligent driving.

>> Mayor Taylor: On the --

>> And Raymond, do you want to talk about what you are talking about by way of control orders or regulations.

>> Yes.

In response to some of the concerns about operation downtown.

Spin scooters can separate at a max speed of 15 miles per hour.

We did request that spin create an area around downtown, as Mr. Reiser said, a geofenced area, where the speed limit can max out at 10 miles per hour.

You know, we can go to spin and ask for different speed limits or it can be done through regulatory means through the traffic control matters and council can pass a resolution.

We have a couple of tools to address the speed short of it being explicitly stated in this ordinance.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I know that there are many other states that have speed limits including Colorado, 6 miles per hour, Washington at 10, Oregon at 15, and we can.

I think it does a disservice to say we can't reinforce it and we might as well not put in writing.

I think it's important for people involved in accidents to know that there was an expected speed limit imposed on these revises to define negligence -- devices to define negligence and the parties if there is negligence.

There's many privately owned devices not just the ones governed and licensed by the city.

And just, you know, it's concerning that we will allow these things free reign on the sidewalks and I understand -- and it's a little bit of comfort that council has the power now with the control device, but we don't have power and control over traffic patterns on our major roadways.

At least we have a little bit of power left on what's this to help regulate the use of our sidewalks.

Sen, I think it's important to get this right.

It allows those with privilege more privilege in a public right-of-way and it doesn't allow for those who need the protections and safety to use the sidewalks safely.

It's just they are frankly not that safe and they -- we need better protections for the general public.

>> Mayor Taylor: On the referral.

Councilmember Disch.

>> Councilmember Disch: I don't think referral is the best way to accomplish any modifications of this, precisely because transportation commission has wrangled over this, but I actually do want to echo some of the concerns that Councilmember Ramlawi has raised.

I don't want to regulate the speed.

I wonder if a little bit stronger language.

We have language about how bikes need to dismount.

Over the Argo bridge.

Those whose balance, whiz by you, that could be a broken hip.

I wonder if there is a way to address it without -- but not a referral to transportation commission because they already worked -- [ No audio ]

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: I want to respond to a couple of things that I heard that I think are questionable, one this idea of a personal mobility device being a mark of privilege.

Something that you can rent or buy on Amazon for a few hundred dollars is a lot less expensive than a car and probably a lot more, you know, a lot less dangerous to pedestrians whether you are on the sidewalk or not.

You know, someone making -- going -- making a right-hand current into a crosswalk and a car and a in turn on red is a lot more dangerous than a scooter and I think we have good data to back that up.

I just want to be careful that we are not fear mongering around these devices and really encouraging their use and thinking about safety carefully, and that's what I appreciate the work that the transportation commission has done.

And I think that we have many tools in our toolbox if we see things that are of concern that we can address.

Thanks.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I wouldn't be supportive of having this going back to transportation.

If anyone has come to Grand Rapids in the past year, you will see these scooters.

You will see these bikes in use.

I myself have used about it and I have learned about the geocaching, and they actually had to use their legs instead of the electric motor for that.

They are accessible.

I know there are programs like lime has an access program for non-smartphone users and lower income residents.

It's \$1 to unlock and 25 cents every minute afterwards.

If you look at the press that's related to how Grand Rapids worked on this, it was actually targeted towards increasing transportation access, including over 75% of folks who are low income.

I feel like transportation has already done a lot of this work.

We have got our transportation and staff who have already done this work.

We know that there are communities nearby who use all of these devices and if we want to talk about speed, skateboards can go from 6 to 13 miles per hour.

So I think we might be a little bit more used to that, and hopefully they are not too dissimilar to what we would see with the scooters and the bikes.

Thanks.

>> Mayor Taylor: Councilmember Griswold on the referral.

>> Councilmember Griswold: I will pass.

>> Mayor Taylor: Further discussion of the referral?

Roll call vote, please, starting with me.

>> Mayor Taylor: No.



>> Councilmember Eyer: No.  
>> Councilmember Nelson: No.  
>> Councilmember Briggs: No.  
>> Councilmember Ramlawi: Yes.  
>> Councilmember Hayner: Yes.  
>> Councilmember Disch: No.  
>> Councilmember Griswold: No.  
>> Councilmember Song: No.  
>> Councilmember Grand: No.  
>> Councilmember Radina: No.  
>> Clerk Beaudry: Motion fails.  
>> Mayor Taylor: Further discussion of the main motion.  
Councilmember Hayner?

>> Councilmember Hayner: I voted yes to send that back in solidarity with my companion here on city council, because I think his concerns are legit. If anyone watches the transportation commission meeting, we know they don't review it -- you get the vibe on what is going on on transportation commission. So I don't -- I will just cast sort of a vote against this, because I think their -- there are big problems with it.

I think we are trying to do things without looking at other aspects of our planning. I don't think this is -- I think there are things in here that I don't think are going to bode well for the future of safety on our sidewalks.

I won't support this.

I know it will pass, but I just -- I don't think it's all that it could be.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I won't be supporting this without additional safety measures.

And we have to remember that Councilmember Ramlawi owns a restaurant downtown.

He's probably closest to the issues.

Also while it doesn't seem possible, there are many young people who do not have credit cards and so that is a barrier to renting one of these units.

So that's all I have to say, other than I would like some additional safety improvements and I think there's opportunities to do benchmarking.

>> Mayor Taylor: Councilmember Grand?

>> Councilmember Grand: I just wanted to thank the transportation commission for their work on this and staff.

I think I know what the vibe is over there.

It's all kinds of awesome with expert staff and people in our community who really care about all modes of transportation.

So I don't know what that meant, but instead of insulting our boards and commissions, I will say thank you to the transportation commission, you do incredible work and I'm thankful to your service.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I'm a little bit aware of how long this has been

discussed because I -- we -- the disability -- the commission on disability issues was getting regular updates on a micromobility committee, that was working on this.

Some of the things that were a little bit surprising about this when I first read it, about where scooters could be put and I know I think at first reading, we talked about scooters being permitted in vehicular parking spots.

Well, some of that conversation was really around people with disabilities who were trying to navigate sidewalks and were literally, like, tripping over them. I'm going to vote in favor of this, I'm very sympathetic to Councilmember Ramlawi's concerns that he has raised but I'm optimistic that the ordinance gives us opportunities to restrict use in places where it would be more dangerous. There are parts of the city that you can see way, way up ahead on the sidewalk, it's not as dangerous to be going on a scooter.

I am very -- I try to pay close attention to what Councilmember Ramlawi has to share with us when he talks about issues downtown because he is literally there all the time with his restaurant.

So I hope I look ahead to potential restrictions that are sensitive to the needs of the safety of pedestrians in busier locations like downtown.

Thanks.

>> Mayor Taylor: Councilmember Song?

Councilmember Song, you are inaudible.

>> Councilmember Song: Sorry about that.

I just wanted to say if there is a way that we could help promote that there are ways to use these devices, without smartphone options which a lot of them have an option for, I would be excited to see that.

>> Mayor Taylor: Councilmember Ramlawi, I believe you have already spoken twice on the main motion.

Further discussion?

Roll call vote, please, starting with me.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: No.

>> Councilmember Disch: Yes.

>> Councilmember Griswold:

>> Mayor Taylor: Councilmember Griswold, you are inaudible.

>> Clerk Beaudry: Councilwoman Griswold is indicating no.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: B-2.

An Ordinance to Amend Chapter 107 (Animals) of Title IX (Police Regulations) of

the Ann Arbor City Code.

Moved by Councilmember Eyer, seconded by Disch.

Discussion, please, of B-2.

Councilmember Disch?

>> Councilmember Disch: I would like to propose a very small amendment to Section 9:45, which I hope is in the spirit of this overall ordinance.

This is entitled "dangerous animal" and there is a sentence that defines a dangerous animal as one that has repeatedly attacked, chased or menaced any person and I would like to add -- I would like to add three words "repeatedly chased -- sorry," repeatedly attacked, chased, provoked or menaced any person or dog ."

And the -- I would like to acknowledge attorney Reiser for responding very quickly and working really efficiently on this and I would like to say that, again, in the spirit of overall revisions proposed by my colleagues --

>> Mayor Taylor: Is there a second to that?

>> Councilmember Disch: Oh, I'm so sorry.

>> Mayor Taylor: Councilmember Radina.

Councilmember Disch, you have the floor.

>> Councilmember Disch: I'm sorry.

I forgot about that.]

So dogs can provoke other dogs in situations where they cannot actually attack or chase them.

It would be a situation where they are restrained, not by a stockade fence, but where the dogs can't see each other but rather by an invisible fence where the dogs can make eye contact, and this is of particular concern because some dogs will react suddenly and urgently to the provocation of a dog who confined to its own yard is nonetheless out of control, so that dog while behind an invisible fence is barking, snarling and raising its hackles this is a potential.

It's not a danger to -- like, nobody is going to -- no dog or person is going to get bitten, but it's a potential danger to the person who is running or walking, that person may be knocked down or pulled foot street.

I wanted to raise that, being someone who is a proactive dog.

And my dog has trouble when she feels menaced by these dogs, or provoked.

She learns, they can't them.

I realize this seems like a minor thing, but it seemed important enough to warrant a little tweak.

>> Mayor Taylor: Is that friendly to the body?

Councilmember Ramlawi?

>> Councilmember Ramlawi: I just don't know how we can measure that.

How we can enforce that.

So we can become experts on animal behavior as we go down this path.

I will find it a very broad term to be using and one that is going to be -- a lit bit earlier I'm talking about speed limits of scooters on sidewalks how that was somehow hard to enforce, although other states do it.

Here we're going to try to enforce this rather, what I think very hard to define term

of provoked by an animal.

I just -- I just think is going a little too granular for this councilmember to support.

I think we're going a little too far.

I'm sorry.

I think this is too much.

Thank you.

>> Mayor Taylor: Councilmember Briggs on the amendment.

>> Councilmember Briggs: Yeah, I would make sure I understand that -- amendment, and I think I share Councilmember Ramlawi's concerns on this.

So this is under 2b, that's changing it to repeatedly attacked, chases provoked, or menaced -- can you -- can I just -- I don't know -- I'm not sure I understand exactly what the -- I don't see the language emailed to us.

>> Councilmember Disch: It's adding provoked.

Yeah, I know the track changes didn't show.

So it's adding provoked after chased, right, because if you are in a yard and you are confined by a fence, you can't chase, but you can provoke.

And it's adding person or dog to the -- the thing currently says person.

So we -- never mind.

>> Councilmember Briggs: Thank you.

I think -- and I appreciate the situations that you are suggesting.

I also have, I guess some concerns having a dog that might actually provoke others because he barks a lot.

I think we get into slightly more treacherous ground about that language and how we define provoked and what that looks like.

And so -- well, I recognize that there could be some situations.

I'm not sure I would be comfortable supporting that right now.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I would just like to suggest that I like part of this, but not all of it.

I'm glad that you added that it's person or dog, because I think that's completely appropriate and consistent with other things we are trying to do with this -- these changes, but I guess I can certainly understand where any colleagues are coming electric -- provoked is similar to menaced in me.

I'm not a dog, but I'm a person.

I'm not sure -- I understand the concerns that my colleagues have expressed with provoked, but I certainly like adding the word "dog."

We had dog on dog violence and dog on person violence.

I think it's consistent.

And because it's repeatedly, perhaps that would allow the defining of provoked some time to sort itself out, so I guess because I like the "or dog" part, I will support this amendment.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thank you.

Mr. Reiser, I was wondering if you could be so kind as to maybe give a quick

definition to the group or a quick explanation of how you view menace and provoked as different and how provoked would be utilized.

>> I don't know that it's much different to be honored, you have attacked, chased, provoked or menaced.

It certainly seems pretty similar as Councilmember Hayner, but maybe a little more broader.

I don't know if you know the incident that brought this to light, where a dog in the front yard behind an electric fence kept coming at dogs and people without them knowing that it was an electric fence right next to a major road and they could take refuge in the road, and I think the genesis behind this was to afford protection from a dog that has repeatedly done this.

But to answer your question, provoked is pretty similar to menace.

And actually, it's up to a fact finder on the preponderance standard since the violation is not a misdemeanor but a civil interaction.

So I or Aryan Slay would have to prove to -- by a preponderance that a certain dog provoked once again another dog or a human if a ticket were to be issued on this.

>> Councilmember Eyer: Thank you.

Given all of that, I'm really comfortable approving this amendment.

>> Mayor Taylor: Councilmember Radina?

>> Councilmember Radina: Thanks, mayor.

I appreciate the intent of this and hearing attorney Reiser's comments.

But share concerns by Briggs and Ramlawi.

When I read this, you know, I think menace -- we seem to kind of know that with we see it, right, there would be snarling and growling.

I'm concerned about knowing many dogs in my neighborhood that bark as other people are passing, it's not -- there is not growling or snarling or teeth showing but if we are envisioning it where if somebody -- if a dog is barking and another dog reacts and we are now putting that on the owner the dog that's simply barking at folks that are going by, I do have concerns about labeling that as a dangerous animal.

We also need to be weary the fact that we need to control our reactive animals as well.

If we have an animal that is going to react aggressively to an animal that's barking behind a fence, I think that dog may also be dangerous, right?

And so I do have some concerns with adding provoked.

I think it's a lesser standard, and I'm worried about where that could go, particularly if we saw it earlier today, comments about neighbors calling in complaints about neighbors with things on their property, how does this current to the neighbor who has a barking dog next door that we don't like?

I have some concerns with how that could be interpreted.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Yes, I mean just to answer, that I think -- I think attorney Reiser was really clear that a judge would be determining that.

And this is not about dogs barking.

This is about dogs provoking dangerous situations with their aggression.  
And if a dog -- you know, not everybody has a physical fence.  
When a dog has a situation where there's an invisible fence or perhaps they are on a leash that extends almost all way to the sidewalk, again, the videos that we saw, the only place that a person had to go to escape was to dart out into the roadway.  
Thank God a car wasn't coming.  
So these are situations that are really dangerous.  
It's not about an annoyance of a barking dog and I hope that we can take it that seriously.

>> Mayor Taylor: Further discussion?

For my part, quickly, I'm -- I think I'm good with menace in the end to cover the same behaviors.

>> Councilmember Briggs: To Councilmember Eyer's language, I think I understand the problem it's trying to solve and I appreciate the indication of where this ordinance came from, my concern is if we are just talking about something -- if we are adding language about what's provoking another dog, think Councilmember Radina spoke to that issue and Councilmember Ramlawi, we are moving to another standard that's a little different than menace.

So I appreciate it.

>> Mayor Taylor: Further discussion?

Roll call vote on the amendment, starting with me.

I'm sorry.

Councilmember, eyer, I think you spoke twice.

>> Councilmember Eyer: I'm joust wondering if we should split up the amendment.

>> Mayor Taylor: The division, one being the question of provoked and the other being the addition of "and dog."

Does anybody have any objection to the addition of "and dog"?

I'm seeing a lot of head shakes when I conclude everybody is fine with adding dog.

On the division on the question, let me ask for the addition of "and dog."

All in favor?

Opposed?

It passes.

And the word provoked starting with me.

>> Mayor Taylor: No.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: No.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.  
>> Councilmember Radina: No.  
>> Clerk Beaudry: Motion carries.  
>> Mayor Taylor: Further discussion of the main motion as amended.

All right.

In the end, I will say that I'm delighted that this resolution is going forward. It is a -- the result of resident advocacy in response to dangerous dogs, aggressing -- aggressing their dog.

And I'm glad that we are able to move forward and improve our amendment so that -- so that dogs in town and other animals as well are -- are protected from -- well, from the dogs owned by owners who are unable to control them. It's -- I think that is right and proper, and will improve, I think safety for everyone. Further discussion?

All in favor?

Opposed?

It's approved.

C-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.

Moved by, Councilmember Disch and seconded by Radina.

Discussion, please, of C-1?

All in favor?

Opposed?

It's approved.

DC-1, Resolution Appointing Members to the Hayden House Historic District Study Committee.

Moved by Councilmember Nelson, seconded by Councilmember Radina.

Discussion, please, of DC-1.

All in favor?

Opposed?

It's approved.

DC-2 Resolution to Create the Ann Arbor Renters Commission.

Moved by Councilmember Radina, seconded by Councilmember Disch.

Discussion, please, of DC-1, Councilmember Radina.

>> Councilmember Radina: Thank you, mayor.

So tonight we have an opportunity to establish with by my count, just the third municipal renters commission anywhere in the United States, to following Seattle and king county, Washington.

We know that a majority of residents, approximately 54% are renters and not a single member of this council is a renter.

I may be the closest to the representer.

And I believe Councilmember Ackerman was the only renter during the previous term.

We know that a majority of renters are paying 30% or more of their gross income in rent which is contributing to the affordability crisis.

We know in recent policy discussions that there's a sizable and troubling power

balance between tenants and their landlords.

And we know that too often renter voices are overlooked and forgotten in important policy decisions that impact our community on things like housing affordability, access to transportation, land use, public health, public safety, and economic development.

And yet until now, there has been no normal city body to provide our renters with true voice in our policy and decision-making process.

This is a really big deal tonight.

I'm excited because we are not simply seeking to establish a renters commission, but we are also envisioning a commission that is designed for thoughtful collaboration from all relevant stakeholders which is critical to good policymaker, while still preserving all 11 voting seats for renters, ensuring that their community's collective power and voice is not diluted when making recommendations council.

Finally, while I'm excited about this resolution tonight, I couldn't have Done it alone.

I want to thank cosponsors, particularly councilmembers Disch and Briggs who have collaborated and contributed to the development of this since the very beginning but I also really want to thank staff, particularly attorney frost, and our administrator, who acknowledging current staffing restraints has committed to two staff resources necessary to establish the commission and staff it into the future and I want to thank members the community who shared their thoughts and ideas and who are reviewed draft and pushed and advocated for this to happen.

This is a really big deal for so many members of our community.

So I hope we can get it passed tonight and then we can let this commission get to work.

Thanks.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: Thank you.

I would like to offer an amendment removing Section E, and that is the section that allows for nonvoting landlord members.

And the reason I'm offering this because I -- I do appreciate the messaging around having all the stakeholders at the table but we are really just fresh off of an issue that triggered a lot of response from landlords, and we saw how loud they are.

And so I am very excited about the opportunities that can happen in a commission that is dedicated to the topic of renting.

And renting properties in our community.

The fact that such a forum would exist is already an opportunity for landlords to be heard and I -- I just -- I would like to -- I would like us all to vote on this.

Having landlords at the table versus having the opportunity to come to a renter's commission, and make public comments and complain or offer perspective and in the same way that we heard perspectives in just the last few months.

I mean, I don't know that anyone sitting here can -- can really accept that



landlords will not be heard unless they are allowed a seat at the table.

We heard them loud and clear.

They are very well organized and I just -- I found compelling the public comments that we heard that other large renters commissions do not have such seats at the table.

It just seems unnecessary.

And, again, I guess -- I just want to reiterate that having created this commission, it's going to be a forum for discussion of these issues.

And whether or not they are seated at the table does not mean that they will not be heard.

I mean, to me, the point is that the table is reserved for renters.

And, yeah, I would just like to vote on the removal.

Section E.

Thank you.

>> Mayor Taylor: Is there a second?

Seconded by Griswold.

Councilmember Hayner?

>> Councilmember Hayner: Thanks, Mr. Mayor.

Well, I have to point out that to suggest that we accept that landlords will not be heard unless they have a seat at the table runs contrary to the notion that we don't have any -- renters don't have a voice at city council because we don't have any renters at the table.

So, you know how does that go down?

I don't think you have to be a renter to act with -- you know, in an informed and caring way towards renters if that was here on this body, if that was the case, we would be in trouble when we look at equity and all kinds of other issues.

You know, a decent amount of my work is repairs in rental properties, either for the tenant or for the landlord, and so I know as much about rental as anybody else.

And I rented in my time.

I think landlords should have a seat at the table.

I think it's perfectly appropriate.

They aren't voting.

They are there to speak.

And it's a very unbalanced equation when you think that 54 Oracle 55% of our housing here in the city is rental housing and yet we are not interested in hearing from the people would provide that, no matter how demonized they are, who take the risks, reap the rewards and so on, for providing that housing.

I think it's -- I think it's inappropriate to cut them out of the picture in this way.

So I'm not going to support this.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

You know, I agree that -- with Councilmember Hayner on this, that these are nonvoting members to the commission.

I think it's important to get that perspective, whether you like it or don't like it.

I think it's important that we have more people under the tent.

I do remember the early leasing ordinance, how long that took to get passed here at the table, because of the channels that were used to get concerns to this table.

I'm not -- I think it's a good idea to invite them to the table and into the tent.

They are not nonvoting members.

And hopefully, we'll get better legislation in the end, one that gets done -- and hey, you know, I'm not inviting the wolf into the hen house.

There will be many other protections, but I think it's important that we have trust and mutually beneficial relationships.

It has to be mutually beneficial and I will go as far to say this, and it will probably get laughed at by a few people, I am a renter.

I rent my business.

I rent this spot.

I have been renting since 1987.

I have been paying it personally since 1993.

I paid property taxes and all that stuff.

I take care of the building and all of it.

I'm a renter.

And so you know, I won't be supporting this and I have a lot more to say on the main motion.

Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I don't have too much to add to that.

I think that some of the issues that we have seen with the way that landlords have been communicating and frankly, a hostile way at this table could possibly mitigated if we start building some trust and communication, and having that perspective about what a certain policy would look like on the ground to implement, understanding some of the barriers, especially as a nonvoting member, I think this is a compromise.

We have also heard oh, well, the other ones don't do it this way.

Well, there are just two of them.

It's not like there are 100 that do it this way.

We are the third.

And so I think it's okay to -- I think it's a reasonable compromise.

I understand the concerns but by having people at the table, we're -- you know, everyone is working together, I think makes a lot of sense.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Yeah, I appreciate the psychology of, you know, behind having a landlord or landlords on the commission as nonvoting members, but when you have -- when you say, well, it's open and they can come and talk, that is an inherently antagonistic relationship, whereas when you bring them into the fold, as part of the discussion, as -- as I -- you know, somebody that you are seated at the table, with rather than across the room from, or across the table from, there is a psychology there that I think, you know cork be -- you know, could be very helpful in mitigating some of the antagonistic actions that we have

seen.

And so I'm willing to give this a try.

If doesn't work, I think we should revisit it.

But I do appreciate the psychology behind it.

I think it's -- I think it's wise in theory.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, mayor.

I just want to speak briefly to how this came about and there were a lot of conversations that took place in developing this and a lot of stakeholders were engaged.

There were periods of time where folks suggested that this should be a nine -- that there should be two voting members of commission that were landlords.

And, you know, at the time, I engaged -- while we heard a different message tonight, we -- I did engage with geo's housing caucus chairs and part of the feedback we got was we think -- we think it makes sense and could be beneficial to have a couple of landlords there as nonvoting members so we can hear their perspectives and find common ground.

We feel that giving them votes goes against the spirit of the commission.

I wholeheartedly agree with that sent.

That's why the draft was -- was edited and the final proposal that we have today brings landlords forward as nonvoting members.

Because I think it's important -- I mean, we have seen in recent discussions where when folks are excluded from conversations or feel like they are being excluded from conversations, how that plays out at this council table, and I think we want good policy being developed in the commission to come to us, having head all relevant stakeholders weigh in.

So I mean, I open with my remarks on this.

I think that this commission is designed to allow for that robust and thoughtful collaboration from all of the relevant stakeholders.

And the reality is that in any tenant/landlord relationship, landlord are stakeholders.

They should not, however, have the power and the ability to make that recommendation on behalf of the renters.

They shouldn't be allowed to speak on behalf of renters.

That's why this commission would still maintain all of those 11 voting seats for renters.

It would mean the recommendation coming to us is exclusively from renters, but I think it's important to have stakeholders at the table to do exactly what I heard initially, which is to find common ground and to find where there are ways that policy can be improved by working together.

When there are disagreements this will be disagreements and that's fine too.

I think we need to do everything that we can to foster good policy.

And so I will not be supporting this, but as was pointed out by a colleague just a moment ago, this is a commission being created by resolution.

We can change it, should we learn six months from now that the current approach is not working.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: Thanks.

Yeah, I concur with those thoughts that this is relate -- this is new for Ann Arbor, it's also a relatively new idea for cities across the country.

And so I'm not particularly concerned about the precedent that we are setting, because I think that we are -- I'm hoping that we are setting good precedent and that we are encouraging at a time of divisiveness, thoughtful discussion and deliberation and inclusivity in that sort of -- in our commission setting so we have potentially at times robust debate and then recommendations that come towards us of those of renters.

I'm hopeful that this works.

If it doesn't, I'm certainly willing to revisit this down the line, but excited to see this moving forward in our community and many thanks to Councilmember Radina who has worked very hard on this commission and brought this idea forward.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I'm a little worried about the power dynamics and I think that's what the amendment is speaking to.

And I -- I -- for us to be a third city to have a -- to have an effort like this especially in light of however -- I think we are more than 20 years passed when the tenants union was dissolved and incorporated with legal services.

I'm trying to understand why we are a little bit hesitant to at least try to see if neighbor with the commission's bi -- if maybe with the commission's bylaws and revisit with renters and see where if they see it really fit to include landlord then. The geo reps called in saying that tonight they were not aware that it would be establishing.

Kudos for affordable housing reps an insight to that, very last minute.

So I will be voting in support of this amendment, and I look forward to the continuing work as renters advocate for themselves.

>> Councilmember Griswold: I will be supporting this amendment.

I would like to see the commission get off the ground and organized just with the renters to start with and as Councilmember Song said, at -- you know, we can consider adding landlords at a future date if -- if that has some value.

But I don't really want the commission to be distracted by that initially.

Thank you.

>> Mayor Taylor: Further discussion of the amendment.

Roll call vote, please, starting with me.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: No.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Clerk Beaudry: Motion fails.

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

Councilmember Hayner?

>> Councilmember Hayner: Thanks.

You know, I -- obviously we have communications issues here on this body.

I mean, as it was said at the outset of our meeting, that this has been worked on -- I don't remember what it was.

It suggested quite some time.

I hadn't heard about it.

Maybe others had.

I think that was odd.

It would be nice to get a little more heads up on these things.

Okay.

Setting that aside.

So we have in our ordinances various ways that we as a council body are supposed to have been keeping up with this kind of thing.

An example in our housing codes, we have policies regarding inspection, and building officials shall submit monthly reports to city council specifying inspections reinspections C.O.s and so on.

This would have a huge impact on our understanding the rental properties out this in our community.

I have never seen one of those.

Our charter, has sections on fair rental information, statements of local problems and purposes in it.

Much of this is not followed.

It's my hope in supporting this group that it is used to write those things that already exist on our books so that we can make more informed decisions as a body about the rent a situation in our community, and that it is also my hope that this body is not used in a political manner.

So I will support this.

I don't think it's a problem.

I'm relieved that we are starting out by having those who are responsible for providing rental housing as part of this group.

If that amendment had passed, I would not support the whole.

I think, but I will now.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: And I know that Councilmember Radina had talked about this bringing this to council for many weeks, maybe months now.

We hadn't seen any texts.

We only had a day or two to respond with questions after seeing text.

I do support it.

I do have concerns.

I do have concerns.

I have a lot of concerns.

One thing that has been brought up at this table quite often, especially this year has been D.E.I.

I want to know where there are assurances in this resolution when we are talking about D.E.I. initiatives and goals and policy setting, how that's embedded in this commission, other than what I see here, but more prescribed.

Perhaps I'm not looking at the right part of this.

I don't see that.

If we are going to address that and the inequities and the power inequities and the social injustice, we need to have that more prescribed in this.

And secondly, the resources.

I remember when ICPOC was formed, the battle to get \$140,000 a year for that was intense.

And the resources are still not coming as quickly as they ought to.

You know, you get told something, but it takes a while to get it.

How much is this commission going to cost the city?

I assume it's general fund dollars.

And what kind of resources are we going to put towards it?

There's just not a very prescribed recipe of resources here, and I see too many commissions that are given tasks and given goals but not given the resources.

And I'm concerned that we are -- that this may not have the resources that it needs to be as successful as it can be.

So I apologize, but this did come in one day less than when our -- when our questions were due.

I'm sorry.

I need an answer, if I could, whatever I can from our city administrator as far as the resources that this commission will be given.

>> Sure.

ICPOC is the only commission in the city that has discretionary budget assigned to it.

I think that's worth noting, the request is that it came to staff not to create a similar budget to the renters commission.

It would be similarly positioned to the rest of our boards and commissions which means, you know, is we dedicate some staff time to administering the meetings.

We also spent some limited resources on meeting the requirements of O.M.A., and then there are some other marginal expenses within the city to make sure that the business of the commission -- excuse me, the business of the commission is carried out.

You know, those dollars amount to a few thousand dollars annually.

I can confirm those numbers with our C.F.O., but that's something that can be easily funded either out of administrator's contingency during this fiscal year or out of cost underruns, but whatever staff work for this commission.

So I spoke with this with Councilmember Radina spoke to me about this what I

said is if there's policy direction from the council to form the commission, we will try to do so with internal resources as they exist.

And if we are not able to do so, I think we should be able to do this with internal resources right now.

I wouldn't say that is comparable to the say process that was undertaken when ICPOC was created.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: Thank you.

I appreciate that ICPOC has been brought up as something of a parallel.

When we talk about disparity and power, who we're trying to give voice to, I think we need to be serious about making sure that the composition of the commission is going to give voice to the people that we want to give voice to.

I'm asking Ms. Beaudry to circulate an amendment to section A.

This is a copy of I resolution that we passed in 2020, and with a sort of interest of what we recently amended the ICPOC bylaws to reflect.

I'm asking that the initial voting members be appointed by the mayor with the approval of council and I want to add the language for all future appointments to the commission.

The commission shall designate a group, and the city council liaison to review applications.

Future appointees will have the recommendation of the commission.

And the reason for this, since we didn't pass the resolution, to take away Section E, I'm concerned, based on my concern in engaging with quite a lot of landlords who had a lot of strong opinions about the ordinance we passed on leasing.

It's hard for someone like me to understand what is actually happening in the rental market.

A landlord can approach me and seem very, very reasonable, and then when I talk to renters, find out that that particular person is victimizing tenants or -- and acting in ways that are really not good.

I'm not being very articulate here.

But I think it's very, very important that the membership of this committee not broadly state that it should be representative, but that we have a few more people looking at these applications and a few more perspectives giving a meaningful review of who is participating in these discussions.

Since I proposed it for all boards and commissions over a year ago, I have always believed that our boards and commissions would be strengthened if we had a more formal process, and having more increased input from more people.

We incorporated that in the bylaws of ICPOC.

We understood that this was a power dynamic that we were trying to address.

I'm just asking that we address it in a similar way here and I think that this is an opportunity for more people looking at these, the applicants, more people looking at potential commissioners and saying, yes, that's a landlord perspective, but they are notorious on campus for mistreating tenants.

Or they are notorious for doing this behavior that is really not a positive thing.

I'm interested in creating more opportunities for those perspectives to be heard

and I think this is an opportunity for that to happen.

Thank you.

>> Mayor Taylor: Is there a second?

Second by Councilmember Hayner.

A discussion of the amendment?

For my part, I'm going to not support the amendment, you know, I think it is, of course, right and proper for me and any of my successors to collaborate with the various commissions, generally the chair or whomever the chair designates.

It strikes me that that information is entirely to -- available for the commission.

During my practice, I'm excited when commission members, you know, recommend folks.

I think that makes a lot of sense.

There are other considerations that are going on through the city and throughout the municipal structure that are not seen or engaged by the commission as a whole.

And so I think it makes sense to have multiple inputs, one of which is, of course, the commission, the resolution as -- the amendment as drafted would have the commission be a gatekeeper.

And while I think they should be an active and full and persuasive gatekeeper, I don't think they should.

Councilmember Hayner.

>> Councilmember Hayner: They should have a recommendation of the commission.

And they can give a list of many, many folks.

Maybe a legal interpretation is in order.

Does that mean they have to be drawn in that list?

If that's indicated, I'm not super happy with it.

But I think this is in keeping with a multi year effort to increase the diversity of our boards and commissions and where these folks come from and who makes these recommendations and I understand Councilmember Nelson's, that we can't do everything about everybody.

Honestly, I have done work in apartments that rent for \$60 a square foot and \$600 a square foot and they all pass our building inspections and so you know, if they don't, then that's when I get called.

And there is a huge variety of rental properties, just as there's a huge variety of landlords and tenants.

I don't really have a problem with this.

I think the initial appointment will be made and then I think in the future, it's okay to let that group reach out and take a look at who we are appointing.

Must they this I don't know.

I would put that off to legal to talk about that.

I am supportive of this notion because we have done it in another place and it seems to have worked out.

>> Mayor Taylor: Mr. Postema?

>> City Atty. Postema: Shall is the term that means "must."

And so, you know, that's typically -- "will."



I read this as I need to understand from the author if the intent is that only people with recommendations from the commission can be considered, that's what I believe the intent is here.

Then I think it's easier to just say, must have, so that there's no -- that's how I read this.

The distinction between will and must, I -- you know, the -- typically, the word is "shall" here and certainly by implication means must.

I believe Councilmember Nelson, and if not, must have or -- or -- I would say if that's the intent, it could be must have.

So it's basically --

>> Councilmember Nelson: I feel like I pulled it from ICPOC.

>> City Atty. Postema: Yeah.

>> Mayor Taylor: Perhaps.

Future appointees must have.

>> City Atty. Postema: Yes, I think the discussion with ICPOC is because they recommend -- they recommend somebody, it does not mean, obviously that the council has -- that has to be approved, but the people would come before you have to have this endorsement of the commission.

That's how I read this.

But I want to make sure that -- that that is the intent of the author.

Councilmember Nelson.

>> Councilmember Nelson: Is substituting "shall" for "will" achieve clarity?

>> City Atty. Postema: Well, yes.

To me, without looking --

>> Councilmember Nelson: That's fine.

>> City Atty. Postema: I might do a quick search and it might be that "will" and "shall," mean the same thing.

I haven't looked it up quickly.

And so the legal effect.

>> Mayor Taylor: Is there a -- it seems to me that we should change the will to shall.

Is that -- is that friendly to the body?

So I will read that as an amendment to the amendment.

The amendment now the last sentence reads future appointees shall have the recommendation of the commission.

That is consistent with the amendment's intent and that is now, unless I hear objection, considered a friendly amendment to the amendment.

Back to the amendment in chief.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I don't see this as -- I see this as empowering the commission, giving our community more voice, more influence, giving our boards and commissions more latitude and Frankie frankly, more reward for doing the work that they do and giving them the freedom the bandwidth to express.

I wish this was in more of our boards and commissions.

It was first codified in ICPOC to give them the independence.

Now ultimately council still has the power of appointing and confirming, that is, those persons.

So we are just asking the commission -- we are empowering this commission to tell us what they need, who they believe would help them achieve their goals before it comes to us.

We still in the end can say no.

In both cases, ICPOC and this, as far as I understand it.

So I -- I do push back on the fact that this is somehow a gatekeeping.

I think this is empowering.

I think this empowers the commission.

I think we just had a discussion about having landlords, nonvoting members on, this and now let the commission after it gets established and has a little bit of experience provide to us some information on what they need and I think that's great.

And I think that should be a part of more of our boards and commissions, something that I don't see enough of today.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: Thanks.

I think what I heard the mayor speak to was that, you know, he and -- at least as he operates is, you know, is seeking the input of our boards and commissions as we are making those placements.

I don't think -- I think we should always be reaching out to our commissions to find out what they need.

I'm not sure that I think that we should be he equating the renters commission with ICPOC, which is sort of a different entity and purpose in our city commissions and it -- and it kind of -- it's better in terms of the bylaws to be thinking about it in terms of the rest of the commissions that we have set up in the city and so I think there's been an attempt to have consistency in those bylaws.

And so I'm a little concerned that we are moving in different direction.

I do think that there's a real attempt here and membership b to make sure that the voting membership of the commission should be representative of various renter perspective, students, LGBTQ, and everybody else can read to the end of this.

There's a lot of different pieces of membership that we are trying to make sure that are represented.

So I think that will take some real work to make sure that happens.

That will come from hopefully the commission's recommendations in the future, but also from real work on the part of councilmembers and the mayor, so I'm a little weary, I guess of this amendment, but I will listen to how others weigh in.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I will be supporting this amendment.

And it's my understanding that similar language exists within the environmental commission.

And members of the environmental commission have been working to fill out the expertise and we're now looking for someone with water expertise.

So I would think that the members of the commission best know what expertise is needed, and in most cases, I think that we're trying to recruit people who will contribute to the commission.

I don't see it as being competitive in any way.

I see us working collaboratively already.

It will be more work for the commissions but that's what the environmental commission is doing right now.

And bringing that information to the mayor, I think it would be a two-way conversation and possibly the mayor with know something about an individual that we didn't know.

And so that would allow us to withdraw that name before it became public.

But I will be supporting the amendment.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, mayor.

I guess I'm confused about the process that we are trying to make.

This commission is appointed slightly differently than ICPOC would be and ICPOC, the mayor does not nominate the candidates.

Those are nominated by the council liaisons and we did include the language and largely around ensuring that they maintain independence that those recommendations should have the recommendation of -- of the -- the -- or of the -- of ICPOC.

And the reason -- we talked through that, to answer some earlier questions with attorneys.

We essentially got to the point where there could be a stalemate, right?

Like none of the names coming forward would get the recommendation of ICPOC and none of the folks who were recommended by ICPOC were deemed acceptable by liaisons for appointment, and could you be at a standstill.

Which is a challenge that hopefully will not exist, but could.

In this one, I guess I'm figuring out, this has a process by which the liaisons and the commission is involved in reviewing applications and providing recommendations.

Would the mayor still make the appointment and would council still approve that appointment?

Am I reading this -- am I reading correctly that that's how that process would lay out?

>> City Atty. Postema: Yes, I think the fact that people are having -- are having issues with the language is in part because I think what the -- as I understand, it by adding the term initially, and I understand why that was done, because then it describes this process, but in doing, that the question that could come up for some people is well, that -- that first sentence it just -- is just the initial appointment, and then there's a recommendation process and also the commission has to recommend.

I think there's really three parts to this.

One is subsequently, there will be this group that reviews the applications after people are recommended by the commission.

Those -- you know, it's the recommendation by the commission, review by this group, and then it goes to obviously, to the mayor for appointment and approval but I think that to clarify, it even though it would be redundant, I think it would be -- I'm looking at ways right now to rewrite it a little bit, that in combining the two sentences, and then making it more clear, because it -- the term "initially" could make it seem that only the initial appointment is through the one process. And that, I think is what you are getting at, Councilmember Radina.

Is that --

>> Councilmember Radina: Yes, and I think -- I mean, I'm still not sure -- I'm actually supportive of really all of our commissions providing recommendations. It sounds like that's a process that already plays out.

The reason for the independence, particularly in ICPOC, if I remember correctly, around that is because there's a component where they are holding the government itself accountable in their role, where other boards and commissions are really -- a part of that government providing guidance and providing policy recommendations and so there's also that difference that I'm thinking through. But -- but I'm generally supportive of all commissions providing a recommendation.

I guess I worry about kind of the way the language is written right now, that it might tie our ability to appoint people.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Thank you.

I would be comfortable with if it didn't have the last sentence in it.

I think it's reflective of existing council policy and somewhat redundant, I think important to stress that we do want recommendations for members coming from -- you know, coming from the boards and commissions, but that that ultimately, I think is important to have that balance also.

Where we're not completely constrained because sometimes there might be a need that we see on our end or the mayor sees on his or her end.

So I -- and I think part of this is, again, a pattern that we are seeing where we're -- you know, I think if this had gone through the attorneys -- it just goes against our efforts overall to have consistency of language on boards and commissions and so trying to tweak at the last minute, we run into these problems because when we are not working with the attorneys no ensure that consistency.

So I can't support it as it is.

If the last sentence is removed.

If it's reiterating what Nelson.

We have a process on each board and commission that they make recommendations I think that's great.

But I think it just goes a step too far.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I want to clarify to the benefit of people who were

not here in 2020, this is not an existing policy.

Just as a review.

So I brought this as a policy that I thought would be a benefit to all boards and commissions and at the table it was amended from shall to may.

So the situation now, I -- I'm aware -- I know that I was able to facilitate this process of recommendation at the human rights commission, and they were very surprised that it existed.

They didn't actually know.

So this is not a policy particularly that exists.

It's a potential policy that was implemented as an option.

But like I said, at the table, it was amended because there was concern that it was not necessarily a good policy for every board or commission to review applications and make a recommendation.

And if I remember our discussion from 2020 correctly, there were concerns that it might cause friction that if the commission wanted somebody different than who the mayor wanted to appoint that that was a conflict that we didn't want to accidentally trigger.

And I guess what I'm saying for the purpose of the renters commission is that that is a conflict that I'm willing to trigger.

And I appreciate the distinction between this commission and ICPOC, however, there's not -- there's a pretty fuzzy line between the power structure of government and the power structure of property ownership.

I mean, we are -- we're talking about a commission that's going up against the power structure of property ownership in this town.

And is that more or less powerful than the power structure of the government?

And so I -- that's the parallel that I would like to draw and I do appreciate that they are not wholly similar and I don't -- I don't mean to diminish the very special nature of ICPOC, but I'm suggesting that we borrow elements from it, because there is a power dynamic and there's an opportunity here.

And I guess I didn't say it quite as clearly as I could have earlier, when we heard from so many loud voices from landlords, you know, I also heard privately from a whole lot of landlords who had different perspectives and were supportive of the changes and the reforms that we were making.

When I think about the different kinds of people, I'm thinking about the property owners who are more sympathetic to the needs of renters and understand the logistics and the practicality of being landlords and also will be able to contribute in a way that's more positive and helpful.

I hope that there's support for this amendment.

I'm sorry that my previous amendment did not pass but I would like to clarify this one, to make it achieve what I'm hoping to make it achieve.

Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: That didn't -- well, that didn't really help.

What I think is, you know, part of the reason why we have that council policy and it is optional is that some boards and commissions may not want to go through

that process, right?

There's a lot of variation and I think we're trying to work on some best practices here and find some compromise and also but also my goal is achieving some consistency, and that the more boards and commissions we have that get in the habit of this practice and keeping it consistent, I think once you get the ball rolling with it and it becomes kind of practice where council liaisons are working with the boards and commissions to help them go through this process, but you could -- I just don't think it takes a lot of imagination to see a scenario where a board or commission could potentially go off the rails a little bit and make it so that we would come to a standstill where we just might not get someone that -- that is agreeable to both sides.

>> Mayor Taylor: I will say a couple of things.

First off, with respect to the human rights commission, it surprises me that that was a question.

I have been working and have worked for years with the chair and cochair to suss the commission's needs and to effect appointments that were pleasing to them.

So you know, I feel like that's there and that's in the record.

I guess I would say too, that it is, of course, every commission's right, they are fully empowered right now.

They require no blessing from us.

They are fully empowered to have recruitment efforts and have evaluation efforts and to communicate their desires to members, to be a nominator and certainly for council, if they feel like their needs are not being addressed.

They have that right now through all channels so they require no empowerment for the purpose.

Finally, it's been suggested that this will be the source of diversity.

I guess I would say that the diversity of our boards and commissions that they reflect the full bread of the community at large is incredibly important to me personally and I suspect my predecessor and my successors.

And I think that if you look -- if one looks at the folks at least from my part, whom I have nominated for various boards and commissions, you will see that they reflect that value without question.

Further discussion of the amendment.

Roll call vote, please, starting with me.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: No.

>> Councilmember Grand: No.

>> Councilmember Radina: Yes.

>> Clerk Beaudry: Motion fails.

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

Councilmember Hayner.

>> Councilmember Hayner: You know, our charter prescribes and the resolutions that forms boards and commissions also prescribes that they are often nominated by the mayor and approved by the council and so the suggestion that these folks are without question suitable, I will question that. Now 517b of our city charter, I assume that this is created under the notion that council may create special commissions.

Including commissions on housing.

The boards and committees, subcommittees, et cetera.

My question for our legal staff, or perhaps our city administrator, is when a resolution is enacted that creates a commission, board, commission, subcommittee, et cetera, are they to be created in the order in which the resolutions were passed or is it just random?

Can we assign priority to the creation of these boards and commissions outside of a date inside of resolution creating the commission?

That is my question.

I will support this.

I don't think it's a bad thing to have a renters commission.

I think all information that we receive from whatever sources is valuable to us and used in considering the questions before us.

But I am curious if we choose to prioritize the creations of boards and commissions.

Is there a method by which we may do that?

>> City Atty. Postema: Councilmember, I don't really understand the question.

When you say the priorities, you know --

>> Councilmember Hayner: Well, let's say a couple of months back, this body created a commission that wasn't appointed yet and now we create a committee for this, and it will be appointed.

When does the previous one get appointed?

Does the charter prioritize.

A resolution that was passed previously to this one, should that subcommittee or board be appointed prior to this one being printed.

>> May I ask, are you referring to the committee that council created to look at the pursuit of a pilot program?

>> Councilmember Hayner: Excellent example.

>> That resolution requires that committee to be put together and appointed by council, I believe by March.

And so I will defer to Steven on whether the creation of that body should precede the creation of this one.

By way of example, I would think that the work product of that commission is really the only controlling factor in that resolution in terms of time and that is due back to the body by March.

>> City Atty. Postema: Yes, I think Mr. Fournier makes an excellent point, because you have an internal pressure in that resolution that you have done, without that, I think what you are really saying is if they haven't appointed the other one, can they move on to the next one and do it. I do not believe that the charter says anything about it. I was just looking through that. But I think that to impose that sort of -- they would have to something specific to impose that sort of order. I would hope you would get to each expeditiously, but you also have provisions of appointment and approval and I can see if you do two, you may do something where first that you have approved, you know, the council doesn't fully approve it and therefore, they would have to do some more. So I do not see anything and I will look more clearly. Thanks.

>> Councilmember Ramlawi: Thank you.

As I spoke to earlier, I'm just concerned about the omission of the D.E.I. process in this.

And I have sent a simple amendment to Ms. Beaudry, if she can pass that around to members, I hope it's not controversial but I want to make sure that it's a part of this resolution.

I do believe this is a social justice issue and one that if we are going to be hiring a D.E.I. coordinator, well north of six figures that they be a part of this as well.

>> Mayor Taylor: Is there a second?

Seconded by councilwoman Griswold.

Discussion of the proposed amendment, which reads at decision of whereas the city of Ann Arbor is committed to developing, implementing and advancing diversity and inclusive program and adding a resolve to the resolution, resolve our D.E.I. coordinator will be involved in initial and ongoing staff support of the Ann Arbor's -- of the Ann Arbor renter's commission.

>> Councilmember Ramlawi: There's a scrivener's error, you can fix however you feel it needs to be.

>> Mayor Taylor: Councilmember Disch on the amendment?

>> Councilmember Disch: Yeah.

Just a question to Mr. Fournier.

Is this -- does this amendment do too much in the sense of commit additional staff time and resources and also a piece of the D.E.I., doing a busy job already? Does it need to be further specified that they are not being asked to staff or attend other meetings?

>> Well, I would advise generally that the council should limit its direction to the staff and the attorney and the administrator.

And allow the attorney and the administrator to work within their staffs to carry out the directive for council.

It might be better to word the amendment so as to direct the administrator to ensure that the work of the renter's commission is done in coordination with the D.E.I.



I think that might achieve the goal.

>> Mayor Taylor: Is friendly to the body.

>> Councilmember Ramlawi: Could you rephrase it?

>> I might say the second resolve should direct the city administrator that the work is done in coordination with the city's D.E.I. program.

>> Mayor Taylor: Is that friendly?

That amendment to the amendment is friendly to the body.

Ms. Beaudry, are you clear on that?

Thank you.

Is the amendment thereafter friendly to the body?

Seeing to objections, the amendment is friendly to the body -- the amendment as amended is friendly to the body.

Councilmember Song, the main motion.

>> Councilmember Song: I would like to thank Councilmember Radina for working so hard on this.

This was a commitment he made while campaigning.

It was -- and I'm really glad to see that we are able to advance this in light of how we have been lagging tenant -- we are the -- the tenant -- the eviction moratorium has been lifted and there's a lot going on during the pandemic and folks are still struggling and throughout our commissions and the committee advisory board with the on the housing and human services board, we have renters represented in our work.

We never struggled to see if we have a landlord in these bodies.

I'm excited to see what happened next.

Thank you, Councilmember Radina and other councilmembers for pulling this forward.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you.

And I just want to -- we had a lot of side conversations and amendments throughout this so I want to recenter some of the conversation around why it's so important to move forward with this body.

This was a lot of work in collaboration with a lot of community members.

I think that we recognize that it's also very much the beginning of this work.

The initial cosponsors and I, and we even talked about including things in this, like responsibility for updating and maintaining the tenant's resources guide that they put out so the renters eyes are on, that rather than staff and things like that. There are some additional pieces we need to work out.

It wasn't just as easy as including this in that resolution.

There are certainly additional things that we could envision this body eventually taking on particularly was we look forwards the future of holding some folks accountable for some of the pieces of this -- of our renters rights laws.

So I hope this is the initiation of this body and we see it continue to expand and grow and really have relevance in the conversations that we are having at this table.

Thanks.

>> Mayor Taylor: Councilmember Hayner, I have you as having spoken twice on the main motion.

>> Councilmember Hayner: Yes, I lost track with the amendments.

I wasn't certain.

Okay.

I will save it for council comments.

>> Mayor Taylor: Thank you.

Further discussion of the main motion?

For my part, I'm incredibly excited that this is moving forward.

During my tenure, we created the transportation commission and it's important part of the conversation that we are having now and will continue to have about safety throughout the community.

And I think with the creation of the renters commission, that we are going to have the opportunity to -- to have some focus on the needs of renters.

This is a substantial and structural power and balance between renters and landlords.

Renters do have interests that are unique to that condition and it's important that that interest have a structured and targeted voice in city government, the creation of the renters commission will provide a place for that and I'm really excited about the -- the policy recommendations that they will in the fullness of time bring forward because I think it's going to improve the quality of life in the community.

Further discussion.

All in favor?

Opposed?

It is approved.

Mr. Postema, do we take have the pleasure of a closed session?

>> City Atty. Postema: Well, you are always entitled to a closed session whatever you want that.

We do not have one that is scheduled.

We have, obviously, matters in litigation and other things, but I think there's none that have been identified for tonight.

Thank you.

>> Mayor Taylor: I will take that as a no.

We have the clerk's report of communications, petitions and referrals.

Councilmember Griswold.

>> Councilmember Griswold: Just a point of order.

We do have a proposed item to be added to the agenda, and I would like to get advice from Mr. Postema because I don't want it on the agenda to be acted upon per his advice, I can discuss it during council communication time if that's preferred.

>> City Atty. Postema: Yes, I think the best way to do this is, in fact, there's been discussions before about people not having information.

I think your intent is to talk about proposed legislation, coming up.

You know, there's some draft language, but it's not been fully vetted.

And I think the best way to do that is to not take it off and vote for that. Because I don't think that would be needed and you can talk about what you are trying to do.

So thanks.

Thank you.

>> Mayor Taylor: We have the clerk's report.

May I have pay motion to approve the clerk's report.

Moved by Disch and seconded by grand.

In all in favor in opposed, the clerk's report is approved.

Mr. Postema, do we have communications from the city attorney?

>> City Atty. Postema: None tonight, mayor.

>> Mayor Taylor: We now come to public comment general time.

This is an opportunity for members of public to speak to council and the community about matters of municipal interest to speak at public comment general time, one need not have signed up in advance to speak at public comment general time, please enter the number on your screen, 877-853-5247. 877-853-5247.

Please enter meeting I.D. 949212732148.

Once you are entered, president 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's your turn to speak.

When it is your turn to speak, you will have three minutes in which to speak.

So please pay close attention to the time.

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

Is there anyone who would like to speak at public comment?

Clerk caller with the phone number ending in 766, do you have a comment?

Go ahead.

>> This is Michelle Hughes and you guys made a grave error by putting landlord seats on the renters commission.

Even if they are nonvoting seats.

The people who voted -- the people who made that decision were -- the people who voted yes to put the landlords are Briggs, Ramlawi, Grand, Disch, and Radina.

One of you needs to flip.

At least one of you definitely needs to flip.

I will call on Councilmember Disch because you are my representative and I need you to bring a resolution to the next city council meeting to remove the landlord seats from the renters commission.

And it's -- it's been said tonight that oh, well, you know, if we want to remove these seats later, we can do it later.

Well, this is our chance to remove them.

It's -- if we want to do it later, it can only be done at great political cost.

It will never be easier.

It never would have been easier to do it than tonight.

And the second easiest time to do it is before the commission is impaneled.

Bring it before this thing gets much steam.

The interest of landlords and renters are fundamentally opposed and if we want to have a commission where renters can advocate for their own interests, they need to be the ones who are on the commission.

Not landlords.

If there are landlords on that commission, then I'm not sure what its purpose is. There is the argument, these are nonvoting seats.

They are still seats.

If they weren't important and didn't have some value, then you wouldn't feel like it's important that it exists.

Oh, sure they don't need to have a seat because it's a nonvoting seat.

It's clearly something of value that you have given to them.

Take it away.

They already have so much.

Anyone who is on that commission, even in a nonvoting committee, has -- has the ability to set the tone of the discussion, and to speak, a lot more than a regular person calling at public comment.

If we want to hear from landlords, they will call in at public comment.

They will be paid to be there!

It's going to be their job!

Renters are going to go there and it's going to be their free time that they are choosing to spend but the landlord will get paid by their business to be there.

>> Clerk Beaudry: 30 seconds.

>> The to the argument that we need to build trust.

This is not a problem of trust.

It's a problem of landlord behavior and a problem of power and renters need to have that power.

They don't need to just learn to trust landlords.

They need it -- landlords they need to have power over their commissions.

So Councilmember Disch, bring a resolution to the next city council meeting removing those landlord seats from the renters commission.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 326, do you have a comment?

Go ahead.

>> Hi, this is Jamie Magara from ward three.

I wanted to comment on something from the last meeting and a couple of things from the current meeting.

From the last meeting, for folks that don't know, I have been doing a science and technology radio show for about 22 years now.

More than that.

One of the things that I have covered often is municipal power, municipal utility.

I think it was a wise move to take a little bit of time to accurately assess the

situation and accurately define the need moving forward for this.

It's not something that when you move forward, you can do halfway.

When you want to pose a question to the committee or the group, or the public, you want that to be formulated in the best way and formed in itself.

So I do appreciate that some time is being taken for that.

In regards to some things today, with boards and commissions, I point out two things, that I think are really important which is that if you have boards or commissions that have a power of veto, you end up with a singular voice.

It's not through necessarily malicious intent.

There's an inertia there.

I think that it's good that things remain open for suggestion from mayor and council and the ability to vote on that and not just have it be insular perspective.

Another thing about boards and commissions and committees that came up, was the idea that people look for expertise.

I have been the leader in multiple boards and involved in a lot of boards and committees.

One problem with looking for expertise in individual members is if that individual member leaves then you don't have the individual to inform a particular perspective and inform the revisiting of a particular policy or guidance or anything like that.

So just a word of caution that can sometimes be problematic.

And although this may be an unpopular perspective, I actually think it's a good idea to bring, even if in a nonvoting capacity, different perspectives of people into boards and commissions.

In my time on different groups and committees and boards and whatnot, even when I have disagreed with someone -- and I felt that their needs were fundamentally opposed to mine, it informed the way in which I operated.

I think it helped with a more informed conversation.

And ultimately, it --

>> Clerk Beaudry: 30 seconds.

>> The participant of these groups, to mitt great my anger and frustration and instead turn it into something that was productive and having productive conversation.

And maybe there's a way to come up with a compromise to still get landlords or whomever if we are talking about other commissions to get that input in a conversational way.

>> Clerk Beaudry: Time.

>> It might be a compromise there.

Thank you very much.

Have a good night.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 891, do you have a comment?

Go ahead.

>> Hi, my name is Edward Villametti, I'm in ward 4.

I have a recommendation to the rental commission -- the renters commission that they take up the first action of business, a review of the city's inspection system. There was a terrible fire in a building on south main street just the other night, and I'm very suspicious just looking at the intensity of the fire that any property that would have passed a rental inspection should not have gone up in flames like that.

And not knowing any of the circumstances and knowing that the investigation is still underway, I would strongly encourage the rental commission to look into the health and safety and welfare of renters by reviewing those sorts of safety issues.

Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 534, do you have a comment?

Go ahead.

>> Hello.

This is Tom Stulberg and I'm calling from lower town.

I am a landlord.

I do other Realtor functions as well.

There is a great movie that was out recently called "Oslo" and it's about the Palestinian liberation organization, and the Israeli government getting together when they hated each other.

It's a wonderful movie.

I recommend it just for enjoyment, but to also understand how working together people become human beings to ex-other, and even if the larger -- each other and even if the larger public sees them at odds, the individuals got to know each other and they make it work because they could humanize rather than demonize the other.

I want to thank you for forming a renters commission.

We have a little more than 50% of our citizenry as tenants.

So I think this is an important thing you have done and I do think it is important to have landlords at the table, not because landlords don't have other access, and ways to bend your ear, but because working together, landlords and tenants together they will be human beings to each other and hopefully that will lead to a better solution, better resolutions and not a lot of -- hopefully reduce the anger on some of the issues and sometimes a matter of informing people on things that you know from your day-to-day business that other people may not understand. So I'm looking forward to it, how this goes and I really thank you for forming this commission.

Have a good night.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 537, do you have a comment?

Caller 537, press star six to unmute your phone.

>> Thank you.

Thank you.

My name is Kerry and I'm a renter here in the city of Ann Arbor.

And I really would love to apply to be a member of the renters commission, but I'm a little bit worried about my landlord actually being there.

It's one of the larger landlords in the city and so there's a very high likelihood with that their large staff they would probably be able to have somebody on that commission.

And so, you know, I'm already weary of them as one of the people that have joined the lawsuit against the early leasing ordinance.

I was really disappointed to see them joining in on that and now I'm worried of other kinds of retaliation if I wanted to join the renters commission.

So, you know, I'm actually, a fairly privileged renter with fairly high income level that just can't afford to buy a house in this town.

I'm really worried about people who don't have as many privileges as me, being at a renters commission meeting and having to say things in front of their landlords.

I think this is possible for the renters commission to solicit questions and clarifications.

I think last caller made a great point -- made a great point that there are probably questions for landlords and we could probably do that between meetings.

I know Michelle called on her councilmember to make a proposal for the next meeting.

I support that.

Councilmember Briggs is my councilmember.

I would consider -- I would hope you would consider the same.

Thank you very much.

>> Mayor Taylor: Thank you.

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

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

Seeing no one, public comment is closed.

Communications from council.

I think earlier, I lowered your hand.

I don't know if I did that prematurely, if you feel like I did so, then you would be first in the cue if not, you will come in third, and be okay.

>> Councilmember Griswold: I will take my turn.

>> Mayor Taylor: The question is what is your turn.

>> Councilmember Griswold: Three.

Three.

>> Mayor Taylor: Mr. Hayner.

>> Councilmember Hayner: There's something I would like to express on the Ann Arbor renters commission.

You know 54 in the future projected to be 56 to 60% of our housing is rental.

I would say 90% of our business is rental.

I know that I have rented over the last ten years three separate properties for my business to have space in.

Councilman Ramlawi mentioned the same for his and this rental commission is really, really focused on housing rental.

But I would consider that we should urge them or add language if it is reopened again to look into business rental as well.

Because that is a big part of the economy of our city.

There's no getting around it.

And even the university rents spaces.

And so I'm not saying they need more rights, but what I am suggesting is that we are -- we may be narrowly focused when we talk about the rental market as a whole, that a huge portion of our community might not have a voice or might like a voice when it comes to their relationships with their land lords, not to live there but to rent there.

And as we mix more of this up in our community, with mixed use and 20-minute neighborhoods and all of that, we will find more and more that these things come together and so I hope that the Ann Arbor representer's commission takes up the consideration that the vast majority of businesses also rent in our community.

I appreciate Ed Villametti calling and his concerns about that house.

I haven't seen a report of course, I'm sure they will come up with something and we will get a chance to look at it.

That home was under private ownership and there was a hoarding commission that led to the massive fire at that address.

I'm sorry for the homeowner there.

My understanding is he --

>> Mayor Taylor: Councilmember.

>> Councilmember Hayner: Thanks to our folks at A.A.F.D. for putting that one down, and all the good work they do.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

There are a few things here, first off, we receive many emails from 5<sup>th</sup> warders during our meeting that they were out of power again.

One resident says this is the fifth time this summer.

That they are out of power.

So it really, just a reminder, our feasibility study about municipal power, the urgency of getting to the bottom of that as soon as possible.

We have a lot of people who are losing power on a frequent basis, on the old west side and further west.

Secondly, I will continue to work with staff and other merchant associations on getting a handle on our collections in the downtown, still at an unacceptable level, I also on the heels of that speak more on, perhaps, creating and developing and maintaining a reuse it center for our community.

We are seeing more and more issues because of the use it center has closed.

And lastly, I would like to bring attention to the meeting that's going to be occurring on Wednesday, between 5 and 7, Zoom meeting, about 4:15, meeting I.D. is 91358438608, password 943693, that is this Wednesday from 5 to 7 to



discuss the 415 site, and give a little more insight on the process that's underway right now.

So many things going on outside of what has been discussed at the table here tonight.

Thanks.

And I look forward to getting some of these things done in the meantime.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to thank staff for allowing me to use the proposed item on the agenda feature.

That's something new.

I think it worked very well in terms of adding transparency.

I want to thank attorney Reiser for his work on all the language, as well as the comments that were made on social media.

What problem are we trying to solve in the issue is that people who need COVID testing, are sometimes being denied testing at the drive thru window unless they are in a vehicle.

So we are turning away people that are on bikes or walking and while it's against corporate policy, individual staff members make decisions and the problem with that is there's greater risk of discrimination if -- if a person at the window is allowed to make the decision.

I have talked to the governor about this.

I did that Sunday, the Lieutenant Governor Gilchrist and Yousef Rabhi.

Something could be done at the state level.

And I realize the liabilities, but I think it's crucial that we address the issue of COVID testing.

One person was told that they need to rent an Uber and come back to get a COVID test.

There are many things with this.

Hopefully this will continue to be processed and we will get a solution soon.

Thank you.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I have really good conversation with our county health director this afternoon, after following up with commissioners Justin Hodge and commissioner Katie Scott about having folks who might not own a car be able to access COVID testing.

She assured me with have a number of walk-in clinics, urgent care clinics and they are off bus lines and they are listed on the county health department's website and she said stay tuned for social media postings the health department is planning to talk about COVID testing events in the near future and they would absolutely accept, welcome folks who are coming on all modes of transportation. So if the concern is access and testing, there's a little bit of a way to navigate that for you.

Also, at home tests are no longer available.

That was provided through a program, but the -- again, the county health department is the best resource if you are looking for COVID assistance.

As far as trying to unload your unwanted things, I think many parents here in this group might be familiar with the Salvation Army, habitat for humanity and Ann Arbor thrift shop.

We have ways of being able to move things although I have to say, I probably nearly missed getting ticketed after putting a desk on the front lawn.

I'm eager to learn more about this interesting crisis of trying to repurpose our items safely, but I hope if we do have a lot of items, there are nonprofit that can love and care for them to that end.

Thanks.

>> Mayor Taylor: Further communications from council?

May I have a motion to adjourn, please?

Moved by Councilmember Griswold, seconded by Hayner.

Discussion?

All in favor?

Opposed?

We are adjourned.

Mr. Fournier, Mr. Postema, Ms. Beaudry thank you so much.