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CONSUMER: GREG MCDONALD

CAA

CITY COUNCIL MEETING

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>> My apologies for the delay. If you're able please rise and join us for a moment of silence. Followed by the Pledge of Allegiance.

>> I pledge allegiance to the flag. One nation indivisible, with liberty and justice for all. Would our clerk please call the roll of council?

>> Councilor Hayner?

>> Here.

>> Councilmember Radina.

>> Here.

>> Mayor Taylor.

>> Here.

>> Councilmember Nelson.

>> Here.

>> Councilmember Briggs.

>> Here.

>> Councilmember Ramlawi.

>> Here.

>> We have a quorum.

>> Thank you, may I have a motion to approve the agenda, moved by Councilmember Disch, discussion of the agenda? Councilmember Briggs?

>> Yeah, I wanted to request we move DC 7 prior to the membership. Prior to DC 1 so we can talk about those this the appropriate order.

>> Any discussion on that? Is that friendly to the body? Councilmember Hayner.

>> That was for a second or whatever.

>> Seconded by Councilmember Hayner. Any discussion?

>> Aye.

>> Approved. Further discussion of the agenda? Councilmember Radina.

>> Forgive me I think I'm wrong on this. Is this where I would pull something off the consent agenda or do I wait.

>> You wait. The suspense is killing us all. Further discussion of the agenda? The agenda is amended, all in favor? Closed? Agenda is approved we have communications today from our city administrator any mayor, I want to recognize the continued work of Brian who was awarded the honorary membership for his consistent knowledge and accomplishments in the area of water treatment and I want to recognize him publicly for that.

>> Thank you. We have with us today the chair of the independent community police oversight commission for her monthly update. Dr. Jackson, the floor is yours, welcome.

>> Lisa Jackson: Good evening, everyone. Tonight I'd like to talk about two topics. The first concern is the city's budget.

We along with regular city departments were asked to submit a budget impact statement and evaluate the impact of a 5% budget cut and I wanted to clarify a few things. First, the Independent Community Police Oversight Commission has an annual budget of 150,000 dollars. That may seem large. But the city eats up about 100,000 dollars of that each year in administrative and other costs so we're really talking about a working budget of only 50,000 dollars. We have been a very frugal commission and in the two years that we've existed we've been able to return money to the general fund every year. For example, commissioners have on many occasions paid for their own supplies and training when our administrator was on medical leave for several months last year we were not given a temporary assistant.

So instead the vice chair and I stepped in to do the administrative work certainly at no cost to the city.

Our 2020 spending was also much, much lower due to COVID and the impact it had on outreach and other efforts. We expect our 2021-22 expenditures to be significantly higher than last year owing to several new commissioners who will need training and other commissioners doing continuing education. We also expect to ramp up more outreach than we have been doing even in the past. Sadly, we still see many people filing complaints about the police to the police when we really want them to file them with us because there are several advantage to filing police complaints with the police oversight commission. So we'll be work really hard to push that message in 2021 and going forward. Thus we argue we can't afford any cuts to our budget in the 2500 dollars we would lose would not benefit the city very much and actually, we anticipate a need for an additional five thousand dollar offset for additional IT services being charged to us because the police require a secure process through which to share confidential information with our commission. Lastly, it seems problematic that while the city's asking us to cut our budget 5% perhaps, the police budget increased significantly this summer. Though police officers are far more likely to die by suicide than interactions with civilians that money did not go toward mental health services nor training on how to work with encounters on the autism spectrum or the lesbian, gay, or transgender communities. We're concerned about the loss of hundreds of thousands or millions of dollars in parking revenue due to COVID the police were given a raise for new officers and a new data analyst. We're really happy the police are going to be able to produce some real data and they won't keep things on legal pads in their drawers anymore. We're not bashing the data analyst at all. However, it would speak volumes about the priorities of the city to increase funds to the police while decreasing funds for oversight and we do keep our receipts. So I would be happy to share the details of the budget with anybody who is interested.

Next I would like to continue to open the conversation we started last month on the concept of meaningful oversight. We know that meaningful oversight is proactive. That is to see not reviewing complaints after the fact but analyzing existing data to anticipate potential problems. We're interested in the ability of the new data analyst to compile use of force data. Such that we can begin to assess whether policies are being applied evenly that would allow us to do things such as recommend potential changes, to prevent future tragedies from occurring and these are of the utmost importance. The commission has secured a neutral third party who has agreed to analyze data. But we've had huge, huge paperwork obstacles and it hasn't yet happened. We consider this to be pretty basic information. Whether -- or to what degree traffic stops have been discriminatory. Do women get stopped more than men for example? Are there more stops in specific neighborhoods? Are immigrants stopped more? Blacks stopped more? These are questions the answer to which we don't know but as a public safety commission the continued delays in these processes have become increasingly alarming because they delay the ability to make our community safer and meaningful oversight can certainly be more than simply policy changes another area we can be more proactive is instituting programming. I recently went to a talk by the American Bar Association on their Active Bystandership for Law Enforcement project called able. Police officers like all of us are interested in protecting those close to them and we have seen across the country that means covering up problematic behavior of other officers and the ABLE program seeks to ameliorate that part of the culture by training officers to reframe

protecting other officers to include proactively stepping in before problematic behavior exists. And that really speaks to the goal of change of the culture within department to lower the extent to which egregious behavior happens at all and the program has been used in large cities that use consent decrees and medium and small cities and officer to chiefs talk about the effectiveness in the ability to improve police culture. And as I do many times before I talk about things to you guys I go check my sources so I was talking to Jerry about this program and he was already familiar with it and he was so impressed that he signed up the the chairs department and is going to be trained himself as a trainer so he can set an example for his department and so we're lucky that we're going to have a front row seat to watch how effective the program is but I think it would be better to see it in practice firsthand. The conversations around police training are often difficult to have by am glad we'll have a local example of a local department that embraces the training that helps the community and its own officers given the kind of collaborative nature of the type of oversight we're aiming for it means that we're going to have -- keep having to talk about the things we usually don't talk about and that means shining a light on issues on issues like how the unhoused interact with police. Or if there are alternative services we can implement so that people don't worry a loved one with a mental health crisis will be harmed by the police in some way or get rid of that feeling a lot of us have in the pit of our stomachs for a broken taillight and hope that is the least of our problems.

I come to council to shine a lot on each of these issues. We'd love to talk about the things we're talking about and these issues impact our entire community so I'd love for council, as well as the rest of the community to talk to those around them and envision what they'd like for our community to become. And I need you to do that. Because collaboration can't just entail our commission sending e-mail to different parts of the city to navigate institutional roadblocks. We need all hands on tech to get to the route causes of the many kinds of systems that cause people taupe counter the police and that's where I'd like to leave the conversation this evening. I look forward to exploring these topics with you. Our commission's next meeting is February 23rd and we'll be joined by an expert or two to discuss the topics I just mentioned so any of you in the council or on committee are interested in ingaining jumping off point I would like to love to talk with you as have a very open forum.

>> We come to public comment reserve time. For community members to talk about matters of municipal interest. One needs to have signed up in advance, by contacting our city clerk. To speak at public comment reserve time please enter the number on your screen that is 877-853-5247. Once you are connected please meeting ID 942-12732148. Once you are connected there please press star nine to indicate it is your turn to speak. Our clerk will identify by the last three digits of your telephone number. Speakers have three minutes in which to speak. Our clerk will notify you when 30 seconds are remaining and when your time is expired. When your time is expired please conclude your remarks and cede the floor. Our first remarks today are from James D'Amour.

>> Mr. D'Amour.

>> Mayor Taylor can you hear me?

>> Yes, we can.

>> Thank you, Mayor Taylor. I want to talk about CA 10. A proposed acquisition by the green belt millage for additional to Mary Beth Doyle Park let me take a moment to credentialize myself on this matter. Particularly with the newer councilmembers. I'm a former member of the city planning commission. In addition, I live just across

Packard and I walk my dogs through Mary Beth Doyle at least once a week so I'm familiar with the property. I believe this addition will provide an important buffer and additional flora and fauna habitat. There's been some sticker shock expressed by councilmembers. However I ask council to consider what is happening here. This deliverer has a shovel ready project to go here. This project is the project approved by council on March 18th, 2019. States that natural features impacts include thing development including moving trees. 59 trees are present with 23 of them to be removed. Noting the natural area preservation staff in answer to Councilmember Nelson's question in this meeting also reports that the parcel is the younger version of the forest found in Mary Beth Doyle nature area. It has flora and fauna found throughout the parks system. Protecting this parcel protecting the integrity of Mary Beth as well those throughout the park and adjacent parcels. The loss of this park will lose the integrity of the park itself. And as the habitat shrinks we lose species. I concur. This is a major opportunity here for the city to make good on its promise to voters protect the city and to take us to today, improve natural area for the city's sustainability.

This is an important precedent. I hope you agree in maintaining that precedent. I should also notice the tree planting. I ask why we would cut down 250 mature trees. The city owns land immediately south of Sharon Drive near this parcel. The city can build some housing nearby so diverse of income, future residents as well as current residents can enjoy this beautiful parcel. I ask you approve this bill this evening. I hope you can move forward in a positive direction and my thanks, everyone, for considering my remarks.

>> Time.

>> Thank you. Our next speaker Michelle Hughes.

>> Michelle Hughes, phone number 677. You can speak.

>> Hi. This is Michelle Hughes. At a recent meeting I asked you to consider plowing the snow from our sidewalk network. This is an essential service and our patchwork amateur system will never be sufficient and it is a fantasy to think we can make headway on this problem through the use of enforcement. We need snow removal that is consistent and comprehensive and the only way to do this is to pay professionals. I talked about my friend who lives three doors down from a bus stop and can't get their wheelchair to the bus stop if the neighbors haven't shovelled. My neighbor is trapped all winter because they can't make a doctor's appointment if they can't make it to the bus stop.

I begged you to immediately take action of the snow removal. Tonight we have DC-3. Unfortunately, this resolution doesn't do what I asked you for. This resolution deals only with the snow deposited by city plows, makes no mention of snow that falls from the sky. Perhaps plowing the snow on sidewalks only deals with part of the problem. This is only to investigate it and price it out. I don't see why we shouldn't consider the cost of comprehensive sidewalk snow removal. The savings of only doing partial sidewalk snow removal might not be as great as we imagine and I suspect the benefit we get from only partially doing this job will not be as great as we imagined. We should study the problem fully. Please, study the problem of comprehensive sidewalk snow removal the volunteer organizations SnowBuddy has done some of this work and discussed it with the city so staff should have a head start on the problem. Please take this problem seriously today I went to the Denlonis Center for a memorial service. Two members of the committee were hit by cars. Jimmy Mac was hit in Ann Arbor. One used an electric wheelchair that recently ran out of battery. She recently got into permanent housing. To address this issue, we

need to think our priorities. We've been focusing on driver convenience which is not a life or death issue. For pedestrians and cyclists, many of whom are people who cannot afford cars, our failure to address their issues does -- can and does cause their deaths. We should not consider these deaths to be inevitable. We can do something about this. And we must. Thank you.

>> Thank you. Our next speaker is Blaine Coleman.

>> Mr. Coleman, you can speak.

>> Tonight your agenda includes DC-4.

>> Mayor, we may have lost the caller.

>> Did he hop off the line?

>> I think he may have hung up.

>> We'll pick him up off the backside if he calls back again. Our next speaker is Mozghan Savabieasfahani.

>> Our next speaker calls on the same line.

>> 863?

>> Pardon me?

>> Is that 863?

>> No.

>> Let's move on, if they call again, we will get them in at the end of public comment. Our next speaker is Henry Herskovitz.

>> Mr. Herskovitz phone number 447? Mr. Herskovitz, if you want to mute your phone? Mr. Herskovitz, I believe if you hit star six, you can unmute your phone. Go ahead.

>> Can you hear me?

>> Yes, we can.

>> Good evening. I have read the proposed amendments to council rules. And I think that this attempt to engineer decency is bound to fail. People know what decency is and can choose to abide or not. Having said that, I found an omission in the proposal. The paragraph labeled "personal privilege and character attacks" focuses on councilmen being assailed by another councilman. But I found no such protections offered to members of the public.

And I would like to remind council that I was labeled a "loathsome individual" by a member of council on January 21st of last year. Although I personally believe this comment crossed the line of decency, in the end, I support councilman Grand's right to self-expression in the 96 times I have addressed council I have not used name calling to get my points across but name calling is protected speech as well as the fact based speech used in the synagogue every Saturday morning. It would be hypocritical to use this speech while promoting fact based speech. Some councilmen may know that some Jews accused Mayor Taylor and city attorney of conspiring with us.

Both our attorneys and the city defendant's attorneys asked for dismissal of this frivolous lawsuit and in August of last year, Judge Victoria Roberts agreed and tossed the suit.

In her ruling Judge Roberts wrote the defendants do nothing that falls outside of the protections of the First Amendment.

Since a function of free speech under our system of government is to invite dispute. In the fall of 2004, this body abdicated its sworn commitment to uphold the constitution when it issued a resolution that condemned our peaceful protests. In 2009, I asked council to repeal this resolution and now armed with Judge Roberts' decision, I repeat my request. The First Amendment is bedrock to our republic. If

you're going to start engineering decency, I wish you good luck and would only request that you protect councilmen and members of the public alike. Thank you.

>> Thank you. Our next speaker is Joseph Spaulding.

>> Mr. Spaulding, phone number 205.

>> Thank you, Mr. Mayor. Hello, city council. Councilmember Ramlawi, I think these rules are going to solve a lot of issues that have made a councilor run late in my opinion most of the other issues are going to solve themselves somehow. The more people start paying attention to meetings like this. I do want to say that when you continue to look into new rules in terms of making sure council is representing the city of Ann Arbor to the best of their ability and to -- that agree that the city actually deserves, I think it's important that we address social media specifically when we're looking at how city in addition, when we're looking at how city councilmembers treat the public. Currently there's a member of the council with a post up that has manipulated media. It's explicitly posted to defame my character the definition of defamation in Michigan is to sever third party ties with an individual or encourage those.

And that's explicitly what Councilmember Ramlawi has posted in his post there. You can speak to the city attorney about the definition of defamation if you want. As a consequence I have a slew of folks in the moderated Facebook space. Posting all sorts of things. In addition to stuff going up on twitter, things like having footage of myself and my mother who is a cancer survivor and who is just recently in remission at the time of that photo, having her faced replaced with a Klansman, replaced with Harvey Weinstein replaced with a really, really pathetic photo of a werewolf that had no resemblance to any street performers in the city of Ann Arbor here and there's been attempts made to get me arrested, silenced, platformed and fired and all of these are tied back to the grandstanding in this manipulated media post.

Who looks at a video of that and then comes to the conclusion of that. Mr. Ramlawi did not look at the post and everybody who lives in Ann Arbor knows what happened. I encourage folks to go to my twitter page. My handle is beyond process and you can see my post. You'll see absolutely all the screen caps of the horrible results of the defamation of character that Ali Ramlawi is attempting on myself and I hope city council goes despite Jeff Hayner saying this is a fear of his. I hope they do something about this. Right now the internet's forever and the city of Ann Arbor looks really, really bad. Thank you.

>> Thank you. I understand we have our -- some prior speakers back on the line. I guess it's in my practice to run through the queue and picked up folks who dropped off so I will continue with that. We'll go with Mr. Haber, Mr. McKee and then go with Blaine Coleman, and Mozghan Savabieasfahani. Next is Mr. Haber.

>> Phone number ending in 083. If you press star six on your phone, you can unmute yourself. Mr. Haber, phone number ending in 083. If you press star six, you can unmute yourself. Mr. Haber, your phone is still muted.

>> Next.

>> Mayor, do you want me to go to the next caller?

>> Is he here or is he just muted.

>> I have -- given his phone number permission to speak, he's just muted.

>> Mr. Haber, please enter star six on your phone. Go to the next speaker. Our next speaker. Was that you Miss Beaudry or someone else? Our next speaker is Ralph McKee.

>> Mr. McKee.

>> Hello? Can you hear me okay?

>> Yes, we can, thank you.

>> My name's Ralph McKee of the fifth ward I'm happy that the appointments to the council of commons are going to be made tonight so the council can get to work. I'm told the new members bring impressive and varied skill sets and committed so we can move forward. I'm not happy with the process of how we got here though. This started with two councilmembers charged with selecting three nominees. At the last meeting we learned that there were communication issues. Councilmember Briggs wanting to discuss by phone and Hayner wanting to communicate by e-mail and then Councilmember Grand after defending Briggs offered to mediate. Three slots, two different slates of three, no picks in common. You might expect one pick each and haggling about the third. You might expect Councilmember Grand to say we're the majority so we get the third. You might expect vigorous lobbying for an entire slate because the resumes were perceived stronger because they might bring former parts of the project. But I didn't expect Hayner to say you agree with my three people or I will do something you like less. Sort of what happened after the first meeting when the new councilmembers were sworn in. At the end Councilmember Briggs allowed councilmember Hayner to expand the pick. We get Councilmember Grand, you remind us that elections have consequences and I do sincerely appreciate, I really do, that despite your prior opposition to the entire concept, you've recently said you want to see it succeed and I'll take you at your word. I'm sure you're capable of working with the minority if you want to but in the future, please spare us the speeches about working together if you're really intending to play hardball and to switch gears, I guess, in the last few years I've played a lot of bar gigs, mostly blues and R&B. I've been singing the old Wilbert Harris tune let's work together. Get on the ball and work together. Together we will stand, every boy, girl, woman and man. Maybe post pandemic, we can get some guitars and teach you some harmony vocals, how about that? Have a good night.

>> Our next speaker is Blaine Coleman.

>> Mr. Coleman? You can unmute your phone and speak.

>> Yes. Yes. Tonight your agenda includes DC-4, Councilmember Eyer, city council resolution.

It claims to support something it calls equitable community engagement. The resolution says yes, some residents have been excluded from the public process. Well, yeah, does that mean tonight you're all voting to engage everyone who has been excluded from your city council process? Does that mean tonight you're voting to finally, finally engage those who stand for Palestinians' human rights? Is that what that means? I don't think that's what you mean. The reason I think that is because, for the last 20 years, this city council, in my opinion, has shown nothing but death. DEATH. Death to the Palestinian people for so many years, you have stonewalled a crystal clear seven word Palestinian human rights resolution. You remember the resolution that says, we are against military aid to Israel. It's just as system as the human rights resolution and you've been stonewalling it so to be the in a most supreme irony your resolution to supposedly engage the community is brought to you by Councilmember Eyer, yeah, Councilmember Eyer. Who took multiple campaign contributions from old friends of the Israel Defense Forces.

Yes, she took multiple endorsements from old honchos of an organization actually called Friends of the IDF that is friends of the Israel Defense Forces. Yeah. Wait. There's more. There is more. Councilmember Eyer, before she got on council, said extremely ugly things about the only Palestinian to ever be elected to Ann Arbor city

council and the campaign cash just gushed into her treasury don't get me started on her treasurer who fought so hard against that resolution for Palestinian human rights. Wouldn't it be nice if Eyers' equitable engagement resolution actually allowed that other resolution a fair hearing and a fair vote in the city council? Tell me, will it? Will you finally allow that resolution a fair hearing and a fair vote in the city council? For Palestinian human rights? Tell me.

>> Time.

>> I'm waiting.

>> Hello? Hello?

>> Our next speaker is Mozghan.

>> Hello? Can you hear me?

>> Yes, we can.

>> Hello. Okay. Arab and Muslim voices have been silenced at this city council for decades. For decades, we have asked this city council for humanity, justice and mercy. We have asked for safety and protection against wars, occupations and bombing. We have asked you to put a stop US bank holding murders in the Middle East. Our plea has fallen on your deaf ears. How do you expect us to think you support community engagement. Anyone with an ounce of honesty and humanity can tell that you are lying. You lie when you say you care for community engagement. Remember in 2014? All those years ago? When your chambers were filled with Arab and Muslim residents of this town asking for mercy? Their relatives in Gaza were being bombed by Israelites by the thousands. You sat and watch as those thousands were killed by Israel. You sat and watched as your taxes paid for every bullet and every bomb that killed children and their families in Gaza. Mohammed, who was there that night with his entire family asking for boycott of Israel turn around and left. As he walked away, he asked you, what kind of human beings are you? You care more for the beard than for people? That night, you had lavished the stop the shoot people with much of your attention. While turning your guns and your cold hearts towards us. Human rights people. We were only asking for mercy. We were only asking you to help stop Israel's bombing of human beings, tacked under the siege in Gaza. You did nothing, you made sure we understood you have no mercy, no humanity, or heart. You are liars and hypocrites. What you have is a genocidal model for how to deal with Arabs.

Some members of this body probably accept campaign contributions from friends of Israeli defense forces. I'm talking about Miss Eyer who has accepted campaign contributions from the old honchos. We are against military aid to Israel. Pass this resolution and save your own humanity. I'm done.

>> Thank you, our next speaker is Alan Haber.

>> Mayor, Mr. Haber is no longer on the call.

>> Was he on from my announcements that he would be picked up on the back end as far as you could tell.

>> He was the one that I had his phone unmuted and he wasn't able to speak. We tried to get him to respond for several minutes. He did stay on the call but he's dropped off now.

>> Then there's no reason to think that he couldn't hear that we would keep him on on the back end. Very good. Let's move forward. Other communications from council? Councilmember Ramlawi?

>> Thank you. I wanted to talk about my experience with the water meter replacement program. My home today was scheduled for a replacement and just wanted to talk positively about the experience. I know we've been getting a lot of

e-mails from constituents who are concerned with this plan going forward during COVID and the hazards it potentially poses and I know everyone has a different level of comfort right now with COVID and it's not all the same but -- our experience today was a positive one. They took all the safety protocols. They are professional and they were in and out in 20 minutes. So I know, again, the level of comfort is a wide spectrum right now. So I don't want to accuse those who are uncomfortable of it of overreacting and I would like to also welcome our new HR director Tom W. He hit the ground running. I believe we had a good short meeting today. The budget and labor committee and he's hitting the ground running and we're glad to finally have this vacancy filled. It's been two long years. It's too critical of a position to have gone that -- and I know our assistant -- the city administrator did a terrific job in the cerebrum. But we are thankful as a community to have that position filled and so we can start addressing some of these issues that we are talking about whether it's equity or police brutality. A lot of things run through HR, so hopefully we'll have a good meeting and look forward to tonight's discussion.

>> Councilmember Hayner.

>> Thanks, Mr. Mayor, a few quick announcements. The monthly card meeting is tomorrow at 6 p.m. The coalition of dioxin is always some interesting things happen there. The best way to find a link is to go to this website. Another meeting coming up, Monday February 8th. At 6 p.m. next Monday. There's a Zoom public meeting on a 63 acre development known as the brewer property and there's a public might put on by the developer about that and I would -- I would guess the best way to find out about that is if you're interested to e-mail at JHayner and I will send you a link to that. That's huge property and an enormous development. Pending to sit on top of that has the potential to radically change our ward. Just prior to this meeting I sat in a university student government meeting with Councilman Nelson and representative Robby and Sue Shank from the county board and it was a great meeting. And we talked about the university city partnership and a lot of other issues and I was relieved to hear that the students are very concerned about these kinds of things and seem they'll be active in promoting a more healthy and mutually beneficial relationship between the city and the university moving forward and so that's always good news because we really are sort of a -- we're kind of in this together here in Ann Arbor. Fourth, you may or may not have heard there's a federal mask mandate for all public transportation, utilities, facilities and vehicles, that's buses, trains, airplanes, anything at all including the facilities station around them. So I know folks are educated about the need to do proper mask safety and now it has been put down by federal mandate, please wear your mask when on public transportation. I know it is critical and necessary to a lot of folks. Hopefully we can leave everything run smoothly. I probably can speak for most of us when I say how glad I am that we've given Dr. Jackson time at the start of our meetings. It's always interesting and more frequently than not, I learned something new or hear a new word or phrase or take on something I had never heard before and I heard the ABLE program mentioned but I didn't really know what it stood for.

And I had never heard of active bystandership. I thought that was really interesting. And, it's just been great to learn when she comes down here to speak. Hopefully we'll be able to transfer what she's doing with the rest of the community and learn some more and thereby improve our police community relationships and have equity to all. Thank you for listening.

>> Councilmember Grand.

>> Thank you, Councilmember Radina and I are hosting our first joint Zoom coffee

hour. Links will be available on our Facebook pages coming shortly. And if you're not on social media or that brand of social media you can always e-mail us directly and we will be pleased to send you the link. We've had a lot of interest and I'm really pleased to see that. So much so that we may need to really focus the conversation on people from the ward. But definitely all are welcome and we look forward to seeing you then. Thanks.

>> Councilmember Griswold.

>> I'll have a statement regarding my previous comments pertaining to the transportation committee at the end of the meeting but right now I want to give thanks for a number of positive actions that are happening. One is regarding the Gelman plume I'm told that Congresswoman Debbie Dingell mentioned the Gelman plume in her involvement at two different Zoom meetings she had today that's always positive that it's getting national attention.

And also I'd like to thank Evan, our water resource commissioner for filing the notice of violation. So that has happened. So that's one more positive step. My other subject is snow removal. And who would have thought there'd be so much discussion about snow removal but I want to thank the community members who wrote in as well as those who were on social media. I try to carefully follow the #A2council on twitter it's always great we're discussing policy rather than personalities or perceived personalities. Also we had an article by Ryan Stanton about snowplowing and lastly I want to thank the crews and it's important to realize that while we're not always happy with the time to having plowing or exactly how they plow that at this point, they are plowing the way council has funded the operation and given direction to the city administrator. So if we want more plowing or different plowing, that's a funding issue and at this point, we need to be thankful because they frequently go beyond expectations. Thank you.

>> Councilmember Song.

>> Today's the first day of Black History Month and I just want to encourage folk to take a look at the ADL oral history with the African American cultural historical museum, its members and how it's -- the members speak to segregation and red lighting and their involvement in the community.

It's really eye-opening in light of the work that we're trying to do here and then another notice here and more to Glacier Hills Senior Living center is asking folks to come out to make snow animals outside of their facility so residents can enjoy a little bit of the snow. They ask for things to be made kind of big so folks can see it from their windows. I encourage folk to get out and enjoy the weather and stop by Glacier Hills if you can. Thanks.

>> Further communications from council? Seeing none, I would like to recommend the following nominations for your consideration in our next meeting to the cable commission, Zachary Damon, currently of our disability commission and to the human rights commission. And those will be up for consideration at your next meeting. Oh, and just -- I think -- let me pull up the agenda. One moment. We now have the consent agenda. May I have a motion to approve the consent agenda? Moved by Councilmember Radina. Seconded by Councilmember Nelson.

Discussion of the consent agenda.

>> I would like to pull CA-15, please.

>> Further discussion?

>> Can I pull CA-10 out, please?

>> Further discussion of the consent agenda? Councilmember Griswold.

>> I would like to pull CA-16.

>> Further discussion of the consent agenda. All in favor? The consent agenda is approved with the exceptions with the members voting in the affirmative. With respect to CA 5, 6, CA-7, CA-8, CA-9, CA-11. That is all. CA 15. Resolution to approve a construction contract change order number three with LANG constructors, Inc., for galvanized water service line replacements. CA-15, Councilmember Radina.

>> Thank you, Mr. Mayor, I just had a couple of questions for staff on this one and I apologize, I submitted them a couple hours late and didn't get them in time for responses. My first question was about the first -- whether or not the contract had been rebid since enacting the policy and whether or not the contractor in the thinks complies with our CP.

>> I can answer that question.

>> Please.

>> So the contract went out before the responsible contractor policy was in place and so we haven't reviewed it. But we believe that it does.

>> And then my other question was I think were more related to kind of the scope of the change order. And so I guess I was just trying to get a bit better of a sense of why the initial project was so much lower than what's being asked to be approved of now and whether or not -- and what factors kind of went into the dramatic cost increase? And similarly, whether or not this kind of increase which by my calculation was about 359%, is generally handled through a change order or rather than a rebidding process and if this is standard practice in what would generally trigger something to be rebid.

>> Right, this is definitely an unusual situation that we have. So starting this calendar year, the city of Ann Arbor is required like all community water systems in the state to replace any service lines that used to be or are still connected to lead at a rate of 5% per year and in 2019 after the rule was finalized we decided to be proactive and bid out sort of a soft start of these replacements so that we could get a feel for, you know, we've not went into homes to do these replacements before and so we needed to secure a contractor and we needed to be comfortable with that contractor both the performance, their work with the customers and then the rate that they can perform their work. Because like I said, we are required at this 5%. So in doing that we had a contract in place knowing full well that this was needed to morph into a longer term contract. And so we issued a contract in 2019 for a low dollar amount that was effective for 2020 and then had the option for one year renewal if we were satisfied with the contractor. In this case language contractors and we were. And we didn't know exactly how much we needed for the contract increase. Or we had anticipated it being lower. Because what happens is the 5% per year that we're required to replace is based on our service line inventory and as Councilmember Ramlawi talked about we're in the middle of a meter replacement project and we're verifying our service lines in the city so get a good count to have an accurate 5% number to work from and so, that project has been delayed because of COVID and so we waited to ask for the increase until we had a better understanding of just what that 5% number was going to be. Knowing that it's inflated to what we think ultimately our service line replacement numbers are. So it's a long answer to maybe a short question that you had I know I did see questions about the bid and they were the low bid on this project. We are preparing bid documents now. This contract had an extension that expires in November and so we'll issue new bid documents and have a new contract in place starting in November. The final thing I would like to add is we had replacements as part of the improvement plans and we

like to have one contractor do the work because of the access to the home and they have been pulled for this contractor to do the work and that's the reason for the increase.

>> Also I'd like to add that while this is a change order to the contractor it is within the budget that we ultimately thought we were going to need for this project but not sure of as to how we were going to deliver the work.

>> Right. Right now our estimate is that -- what we have -- we have service lines where we know already that we have to replace and then we have an estimated number and until we verify those lines we're basing our 5% off of that. We need to replace 238 line this is year alone and the average cost of those is somewhere around \$6,000 and that's why there's this need right now.

>> Again, this is a mandated activity. This is eagle telling us we have to replace these as we discover them.

>> Thank you.

>> Thanks, and thank you for pointing that out and I was going to add to this, unfortunately for the residents that it is mandated and it is unreimbursed that this is my understanding is this is all coming out of our pocket. I don't know if that's correct or not.

>> Correct.

>> Maybe you can correct me if I'm wrong.

>> It's mandated and the cost is covered by the city, not the residents.

>> Yes, it's mandated by the state but not reimbursed by the state.

>> That's correct and the replacement goes from wherever the line starts, at this point, it's usually a curb, into the home.

>> Further discussion? It is approved. CA-10. Resolution to approve purchase of park land at Cardinal Avenue and appropriate 1,507,500.

>> Yeah as one of our callers talked about the sticker shock. With this particular acquisition. You know, many of us asked some questions on this. To staff. Historical. You know, crisis that we've been purchasing land at. Within the city and whether we're going to be getting any matching grants for using other money to leverage this purchase. I just find it very difficult to support for paying nearly 400,000 dollars for land that is vacant and can be used and based on the appraisal and staff's response is that it -- the appraisal's best on the high and he's best views. And that apparently would be for residential housing. And used in -- I don't know what's in the balance in the Greenbelt Millage but 1.5 million is a considerable chunk of what we have on happened and I, just, am not comfortable spending what I think would be a quarter, I'm not sure if Councilmember Grand knows or someone else really quickly what our accounts balance is in that fund. That we haven't already committed to other purchases with. And I'd rather perhaps see some housing built here and I know that is going to be upsetting for a lot of people who care about our natural environment, you know but at some point you have to weigh out the -- and having our residents live within our community instead of commuting. I have a hard time with this and I will leave it at that.

>> Councilmember Hayner.

>> Yes, thanks Mr. Mayor. I certainly understand where you're coming from Councilman Ramlawi on this one. When you look at this parcel and it -- one of our speakers summed it up in a very positive way.

I agree with those remarks. It is a decent parcel and it does have a lot of good natural qualities, at the same time once we commit these it seizes any kind of development. I was happy to hear you had pulled it off. My comment generally to

this is when we have limited funds I prefer we use these funds in a way that maximize the use of those funds at maximized value of the parcel to the city and if this is purchased with green belt funds wholly it's always a natural area. But on the other hand if you look at -- at the parcel there and also look at our needs in the community, they're either -- there are continued needs for housing, especially affordable housing and we committed city property to affordable housing and so on. So I guess my question for the body here would be a policy question. Would it be more appropriate to use partial funding from this or funds from another area to save some of this adjacency to the park and considering -- consider setting some of this aside for affordable housing and split the difference on this property and commit a decent amount of to it the park acquisition.

And another part of it to some of our other community needs. And so that's just, you know, that's -- I know it's kind of springing this general policy question on us but I think it's time we start considering the best way to maximize our city dollar to meet our many city goals that we have. And we know that affordable housing is one of them and we know that park land preservation and one and so on and so on. I just want to put it out there that perhaps we would want to set this aside for a couple weeks and ponder the matter of could this be put to better use in the sense of the city would continue to acquire it but what would we then use it for? I just wanted to speak to that when this came up and I appreciate it being pulled off the agenda. I wanted to share my thoughts on that with you. Thanks.

>> Councilmember Ramlawi.

>> I have to be careful, this is my second to the last bite of the apple on this issue. Since we have Mr. Delacourt here I wanted to know if he had some questions that Councilmember Hayner posed as well as what is our current balance in the green belt fund right now that hasn't been already committed?

Because I know many things, we commit to much sooner than we actually see the land on the agenda for the approval.

>> Second question first I think and I see Mr. Long is here as well so he will correct me if I'm wrong but I think we're between 5-6 million in fund balance for acquisitions.

>> There's 7 million unrestricted in the parks acquisition fund balance.

>> Yeah, the parks acquisition and green belt, I want to remind everybody, those are separate funds. We keep those separate. This is a park land acquisition, separate, different from the green belt. Ultimately all from the same millage but for tracking dollars wise --

>> Can you repeat those once again what the balances are.

>> The park land acquisition, Mr. Long, just correct me, it's 7 million. What do we have in green belt? Remind me.

>> The unrestricted balance in the the Greenbelt account was 6.3 million prior to the passage of the three -- four green belt projects on the consent agenda so that will address that downward in the ballpark of 4.5 million.

>> This is within the city proper green belt and acquisition is in the millage. Until --
>> 13.3 million combined between the two?

>> Approximately. After today's acquisitions, green belt acquisition.

>> And the rest of the properties are coming from the unrestricted green belt. The park land is only for Cardinal.

>> No, we have two the Avalon, the one next to Avalon. Which wasn't very substantial.

I guess, going back to the other question of whether this can be split or how would that be even possible would perhaps a postponement in the matter to look at that?

The advisable or is that something that's not even possible?

>> Certainly anything's possible if the consent of the council addresses us to do so. We don't have funding for any other type of acquisition nor does it fit within, you know, Packard or lacks purview, council purview, if council decides it wants to make that offer to the property owner for a different view, that would -- council could direct staff to look at that and then consider where that funding would come from. But it is certainly not -- that would be a policy decision from council. That would be determined on whether or not you wanted to get into the development part with another parcel.

>> I'm sure we have that money in our couch cushion somewhere.

>> Griswold.

>> We have a desperate need for more housing and we have high quality trees on the property. And I just wish that we could have some type of compromise. I know that we talked about a possible compromise on the weber property which I haven't had an update on recently. And it may be more difficult but I would support a postponement to explore some type of compromise. Even if it was to buy part of the property and then at -- leave the other part for the developer to either develop or to sell to someone else who might be interested in developing it.

>> Councilmember Nelson.

>> Thank you. I just had the quick comment, first of all, that I really wish this -- the information about this agenda item had included a street address because I think it would have been easier to follow the history of this parcel if it -- that information had been included in the first place. I did learn a little bit over the weekend I learned a little bit more about sort of the long history of this parcel and I just wanted to verify, when was the last tree inventory conducted on this property? What was the year? Do we know?

>> I don't know the last day. I don't know if Mr. Long does.

>> I would have to dig through the files for a minute to find out. The owner did supply one during the initial application.

>> Dave, do you know by any chance?

>> No, I don't. I -- from the agent and the tags in the trees in there it's probably been a few years but it was probably when -- I'm guessing at least five years or so. Certainly some of the trees have grown since then as witnessed by the condition of the tags on the trees.

>> Well -- so I guess my -- my understanding is that -- this parcel had been owned by the same person and had been under a couple of plans for so long that there was actually more than one tree survey that was conducted because one had become out of date and I guess I -- my only point is that this property went through a whole lot of hoops in order to be deemed appropriate for housing and it's a -- it's for a different conversation but I understand this was -- quite a long process to decide that this property was appropriate and all of the arrangements to accommodate saving the trees that we're saving and I guess I -- that's my only comment and I have -- I share the concerns with my colleagues about once we have gone to a whole lot of trouble to understanding how housing can be built on a parcel, it's concerning to me that we would just abandon that plan. Thanks.

>> Councilmember Briggs.

>> Sorry, a couple questions, has the property owner expressed any interest of selling just a portion of the property? And then how -- Mr. Long, sort of what is the process for evaluating to some degree, yeah, this is going to take up a little less than a quarter of our remaining -- of our funds for parks acquisition in the city. Kind of

comparatively to what we anticipate are we comparing to what is left and what is available in terms of how we rank the -- rank this property in comparison to that. I guess those are my two questions.

>> No, the question was not had to the applicant about the willingness to buy a portion of the property. I don't know what are the challenges of that process but we can approach that conversation. To the second point, the parks balance, the millage revenue, it's dangerous to project forward because it's not always linear mathematical. But let's say, on average for the last five years, Pac revenue has averaged 580,000 and with millage to go that's shy of 7 million of revenue remaining on top of the existing 7 million dollar balance so I hope that information's helpful.

>> I think I didn't state my question very clearly. It was more in terms of looking at what land we might have available to us that we might -- other properties that we might also find attractive in terms of their importance to the city and potential park plan for the future. This is a larger purchase than we've done in the past but obviously there's a lot of information in the staff report as to why we found this to be valuable but thinking of that in terms of what other pieces of property we might wish to apply in the future.

>> Sure. I can tell you that we don't currently have a comprehensive park land acquisition analysis. GIS based or ground truth with map staff vetting individual properties currently taking applications.

Not proactively, passively as they come in but we do know that parcels of this size, let's say four acres and above and wooded within the city limits, there are only about 10 remaining.

And some of those are owned by individuals that would very likely not sell. So maybe the university or an energy company, let's say. So maybe a half dozen parcels of similar size available within the city limits. Remain.

>> Probably none of those adjacent to existing other park land.

>> Right.

>> Mr. Delacourt do you want to pop in and then we'll go with Councilmember Grand.

>> I am unmuted. I apologize. Yes, I just want to see the communication online here. It looks like the last tree survey was prior to '17 and updated in 2017 from a previous question.

>> Thank you, Councilmember Grand.

>> Thank you. Just wanted to speak a little as a Pac represent you have to the process of this property and my own past history with it. Being in my ward and having seen at least the last iteration of a proposed development come forward which I did support. Pac had -- really extensive, it was not one, it was multiple conversations about this property. They really struggled with the price tag of it and thought about that really carefully. They -- you know, most Pac members did a site visit with Mr. Warner man where they were able to walk the property and make an assessment about the value of it.

I think in terms of its ecological habitat. There are arguments for convincing about the habitat and I personally really struggled with the -- not as much as the price tag because I think it's comparable. The price is lower because it came through as part of a development and it was either given to us or at a low price as part of an agreement with that development so I think in terms of our history and purchase of land, it's actually pretty consistent. Considering the -- the ecological quality. But I, you know, I am coming down on supporting Pac's recommendation because they thought this through really carefully. They took time. They visited it. They have

thought about the contribution to the parks system and to me we've heard some hypotheticals, like maybe we could split it. We know that park acquisition funds can only be used to purchase it and then any repurposing or sale of that land would need to go to a vote of the entire electorate. I see that as probably being a pretty drawn out process for potentially a couple units of housing and, you know, for me, looking at this, I -- when I thought of it as a development evaluate it on those merits and because the developer wasn't asking us to buy it as a park and now the way the process has worked. It's very passive. The way the landowner approaches us and we evaluate and it evaluating it on the merits of park land looking at it from that perspective, I come down on the side of supporting Pac's decision because I am looking at it not as a -- what if having seen a few developments over the years fail at this site but now, you know, this is what is before us and do I think that this is a good decision given not the hypotheticals but the decision that is in front of us.

>> Councilmember Disch.

>> Okay. So I have two questions. One is about the scoring chart, the scoring table that Mr. Delacourt sent us and I just want to understand if I'm reading it correctly. Because there seem to be some projects that have names and other projects that don't. And I don't know if the lines that don't have names on them connected to the named one or not. This sounds silly but if you look at it you might understand my confusion. This parcel seem to have got an very high score and I just wanted to make sure that was correct. And while Mr. Delacourt is thinking about that, a question possibly for Mr. Long or possibly for Councilmember Grand who is on the parks committee.

As I understand it, a good deal of the value of this parcel is its value as habitat as being adjacent to Mary Beth Doyle Park. Yes it has some enormous and potentially very marvelous trees on it but part of the argument for doing this is to increase the ecological integrity of Mary Beth Doyle and I wanted to know if that goal would be compromised by purchasing just part of it and allowing housing to be built on another part of it.

>> I will answer the first question. The reason for blanks is those are line items not considered in open session. They are considered in closed session. To protect the privacy we just included the coded ID number for the application and you are correct that the Cardinal Avenue property is for high scoring. I believe 95th percentile of all applications received to date.

>> Regarding the second part of it. Yeah, I believe although Mary Beth Doyle itself is maybe 80 acres that block of mature woods is only about 20 acres in size and this parcel is four -- over four acres so it's roughly 1/5th of the size of the existing wood lot there in Mary Beth Doyle. Since the bigger the block of habitat the better. If there were one portion of the parcel that were really degraded it might be easier to say, sure, let's develop that and that doesn't contribute much to the park. The whole parcel is uniform in quality and so certainly from an ecological standpoint. Saving all of it would be best. It's an incremental sort of thing. If this were a four acre parcel surrounded by a lot of other development it wouldn't be as valuable as ecological habitat. It's a matter of trying to preserve what's already there and the more of that that we lose the bigger the impact of the nature.

>> Councilmember Eyer.

>>.

>> Thanks. It's been referenced by others that there were some attempted -- some attempts at developing housing on this site. That didn't go through and I'm wondering if someone could give some perspective on why that was, is it because

they were -- it was under PUD and that's complicated and if it was a different type of project with a more straightforward zoning, would that have made a difference? I know it's hypothetical but, I'm just -- in contemplating the potential for housing there. I'm wondering, you know, if we can glean anything from the PUD status?

>> I don't have the details on the development side of it or -- nor have I spoken to the developers to the difficulties surrounding the PUD. I believe Mr. Leonard is out there. I don't know how hard it would be to drag him in. He has the full details on what the development process was and the revision so he'll reconsider for the PUD. There he is, just like magic. Thank you, sir.

>> Yeah, good evening, mayor, council. So the site was the sort of focus of a lot of -- several iterations of proposed developments. Originally, proposed plan was a series of condominiums that are -- some of which were realized on the northern portion of this site. At some point in history, that sort of initial phase was completed and an alternative was considered for the southern portion of the site. While I don't have all the details of that I think some of it was, I presume perceptions of marketability or just changing market trends and desires. A revised plan was submitted and approved. That also sat idle for some time and most recently over the last few years a new plan reduced the number of units. Instead of continuing a duplex condominium arrangement it shifted to single family homes. In the course of that process I think that the petitioner lost the ability to realize as many units as originally contemplated because of some of the requirements for preserving natural features, infrastructure needs, the time, I believe there was a lot of review and dialogue about the conclusions of the tree inventory at the time which led to additional saving of trees and the like. And then finally, being part of a larger PUD process, I would say that even though the finish line was reached, time was a barrier for the project as well it had to consider modifications.

The shared storm water and a variety of other aspects. So I would speculate just cost of development frankly, the number of units, and the time and the project. Also hitting a time when construction costs, we're hearing just from my sense, were skyrocketing to the community. I would speculate all aligned to make the project difficult to realize.

>> Okay. Thank you.

>> Councilmember Radina.

>> Thank you, I think most of my question was covered. I just want to understand of talking about the potential of using this space for housing or for the park land as proposed.

It's currently zoned for 19 single family homes, correct? If we wanted any more dense housing or to get more housing stock out of the property, it would require rezoning, is that correct?

>> The PUD could be modified but that is correct. Right now the PUD restricts it to 19 single family homes.

>> And to modify the PUD is technically a -- yeah, follows the rezoning process to complete that modification.

>> Thank you.

>> An original PUD requires the consent of all the other owners which in this case is 14 condo owners to the north.

>> That was necessary as part of amending the PUD. The city actually has some exception provisions of the unified development code as a city actor. Furthermore when the PUD was modified most recently it was clearly structured to ensure that both the original phase and the proposed second phase at that time could meet all of

the requirements independently both from development requirements and public benefit.

>> You're saying that the -- the UDC allows the city to avoid the requirement to get the approval of the other owners?

>> The city has the power to rezone property and is exempt from provisions of the EUDC. The city would not be rezoning northern portion from PUD but it has the ability to -- it doesn't have to rezone the property. It has the -- the city has the ability to actually use that property as a park even without zoning action. That's probably something that we would want to consider going forward as if we want to take any zoning in so how that would be translated in the PUD supplemental relations for the first phase.

>> Right, I appreciate that we can convert to it park land, what I meant is if --

>> Oh, I'm sorry.

>> The amendment to --

>> -- different use, yes.

>> Amendment to the current PUD of residential housing.

>> That's correct. I'm sorry, I didn't understand the question. Yes if the city wanted to modify the development to increase the housing that can be provided it would require that permission.

>> Thank you. Appreciate it.

>> Councilmember Briggs.

>> Thanks. The questions were very helpful in terms of helping me figure out where I land on this. I think I am in support of acquiring this for park land. My question what we heard about the developers' consideration at this point to think that this may be their best return on investment is to sell to the city because maybe the PUD isn't as profitable as they once hoped it would be. I'm just curious how in terms of thinking about the purchase price of this property, do we feel like we have landed on the price that is -- I guess is there -- is there any thought that there might be any opportunity more to negotiate on this? Piece of property to bring down the price.

>> I can tell you the way the staff operates, we get a fair market appraisal. We don't negotiate with the owner. If they want more we don't offer more. Staff. And if -- as in good faith negotiations or discussions with that owner, we don't offer less than that appraisal either. It is -- we believe the staff -- it is a good precedent to -- in how we do things with these properties is staff is not -- and does not participate in negotiation with these folks. We get a good faith appraisal and that is the dollar amount that is evaluated by Pac and LAC and that is how the recommendation is structured or used when it comes back to council. If council on the other hand would like to offer a different place that's certainly within your prerogative to do so. We have confidence that it is a good faith process. We don't try to lowball an owner and we don't accept any -- counter-offers from them for higher dollar value than the appraisal. It's a very straightforward and above board process. We think that is a good way to operate but ultimately, council has the ability to offer whatever they feel is appropriate for the parcel based on the information they have in front of them.

>> Thank you. That's helpful for helping me understand that process.

>> Councilmember Grand.

>> Thank you. I just wanted to add onto that, that, you know, part of it is the reputation of the program. And, you know, both within and outside of the city and not as much for within the city but outside the city it's incredibly important to stick by appraisals because as you can see we're talking about often land that has a lot of emotional value to, right, and not just, I think this is a little different when it's, you

know, when it's a landowner that was planning to develop but we have a -- this program has a stellar reputation across the country and so it's important to, you know, stick with those appraisals and not go up and not go down and I think that's helped us as we've been able to, you know, purchase a lot of land and also been really successful in a lot of the partnerships especially with land outside the city and I wanted to take fifteen seconds since he's here to recognize the work that Rami Long has done. He helps inside and outside the city and we had historic purchases on the consent agenda this evening and I apologize for not mentioning earlier, they were incredibly complex purchases and this program has a national reputation and a lot of it is due to the work that Mr. Long has done over the past couple of years. He's a real asset to the city. I don't mean to embarrass him. Especially since he just shaved his beard.

>> M-hm.

>> I just thank you, Remi I appreciate the work that you've done.

>> Further discussion? Roll call vote starting with Councilmember Eyer.

>> Councilmember Eyer.

>> Yes.

>> Councilmember Nelson?

>> Yes.

>> Councilmember Briggs?

>> Yes.

>> Councilmember Ramlawi.

>> No.

>> Councilmember Hayner?

>> Yes.

>> Councilmember Disch.

>> Yes.

>> Councilmember Griswold.

>> Yes.

>> Councilmember Song.

>> Yes.

>> Councilmember Grand.

>> Yes.

>> Councilmember Radina.

>> Yes.

>> Mayor Taylor?

>> Yes.

>> Motion carries.

>> The resolution to approve sixth amendment to professional services agreement with bod man. Seconded by Councilmember Eyer. Discussion please of CA-16.

>> I'm just wondering if there's any opportunity to postpone and given the slowness of the legal process regarding Gelman to take the opportunity to reassess our legal strategy and look for opportunities for cost savings by trying to develop some collective working relationship with the lawyers for the other interveners.

>> Councilmember, thank you for that question. That's already being done. The fact is, just to set the stage, this has been really ramped up since November 19th. And that has been within the understanding of the council, with the understanding of the courts and so we are in the midst, particularly from that date, but really September/October, the last two months and going into what is coming up, a very big process that is ongoing and almost done. The hearing is set for March 22nd.

The interveners have worked collaboratively, have divvied up the assignments amongst themselves and they have a document that they will be submitting, it will be a public document and it's something that all of you want for the public to look at and so this is what -- will be going to the court probably a week from Friday. Maybe even a week from Thursday and so this process is accelerated and so this stage of it needs to be done and finished to the completion. Because it's important to the parallel track that you've had out there. So your concern is, we have worked collaboratively, every week, different people have done different things. It is true that the attorneys have taken -- our attorneys have taken the lead in some areas because they are the experts in it. Historically. And so that's been done. But that has been done, you've expressed that concern before. And we've taken it to both to heart and out of necessity to put really what is the final touches on a very, very big project and something that's been in the works really for -- really the last two years, three years, you know, since we've become interveners. So that process is being done as you know. Not to Gelman has moved to try to stall this process on Thursday.

And we will be in court on that. It's contrary to -- well I won't get into it. We'll save the argument -- I'm preaching to the choir here. We'll save the argument for the judge. And so -- so as far as postponing or anything else the answer's know. This needs to be done. It's ultimately your decision but a lot of this is -- some of it's catchup and we need to finish this because otherwise what you've asked us to do will not be the best product that the city deserves.

>> Okay. And as I said before, you know, we need a full court process. We need a parallel process. We need to do everything we possibly can to get this moving forward. Is there a meeting tomorrow with the lawyers for the interveners?

>> That is usually a standard meeting. And so I believe -- I haven't checked my schedule. I am not aware that it's been canceled. But I think that we had a slight wrench we were thrown that had to set some things aside and get a response to the court and that set us back about a week but that is in. It was filed last Friday. And so we can do two things at once and that is finish this and prepare for the hearing on Tuesday. But I believe so, that's been a standard meeting that's been going on for some time. Councilmember Griswold and I know you and Councilmember Hayner have attended and provided some good feedback at it.

>> Okay. And the meetings are weekly and applied.

>> I didn't quite hear your question?

>> I think I was just thanking you and the legal team.

>> Okay. Thank you very much. And I know Councilmember Hayner had the ability to attend one of the meetings also and got to see some good things happen also, thank you Councilmember Hayner.

>> Further discussion? Further discussion? All in favor?

>> Aye.

>> Aye.

>> Opposed? It is approved we now come to a set of public hearings. For members of the public to speak to council in the community about a specific item on the agenda. To speak at a public hearing you need not have signed up in advance but your speech must relate to the 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 8778535247. Once you have connected please enter meeting ID 942-1273-2148. When we come to the public hearing at which you wish to speak please enter star nine. 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 is your turn to speak at which point you will have three minutes of which to speak so please pay close attention to the time. Our clerk will notify you when you have thirty seconds remaining and when your time as expired. With respect to public hearing number one, in connection with Lockwood and I believe, too, with respect to public hearing number three, with respect to 2111 Packard, if you spoke at the prior meeting, at either of those two public hearings at our prior hearing, it is not proper for you to speak at this meeting. This public hearing is an extension of public hearings held on the 19th as was announced at that time and we only have one -- and only one person is permitted to speak once at each public hearing. Public hearing number one, an ordinance to amend chapter 55, zoning, rezoning, of 7.23 acres from R-1C, single family residential district to PUD. Is there anyone who would like to speak at this public hearing? If you had not spoken at the prior meeting.

>> (Echo).

>> H. You can go ahead and speak?

>> Can you hear me?

>> Yes, we can.

>> We've had quite a few words regarding this property that is adjacent to Forest Hills Cooperative and tonight is a very important vote that will affect the real affordable housing in this city permanently. The legislation that will allow Lockwood to promise a percentage of its costly housing to temporary affordability exists in a number of states that are now considering removing such legislation from their books: This is due to it being nothing more than gentrification in disguise of affordable housing. At the same time it gives the Lockwood to future profit maximization. Lockwood proposes to do is install a gated community into the middle of one of the poorest areas of Ann Arbor to the detriment of the land residents who have no amenities. What could be set up between the school system and the community would benefit both by providing not only gardens, but food grow operations that would teach the new sciences of maximum safe production, aeroponics, hydroponics, supplying restaurants in the center that we would like to see built with good nutritious food and in addition provide activities for all age groups, classes that the school system has been wanting to implement on building trades with the residential communities here. And the community interaction between all of the ethnic groups living nearby. But we must have land to accomplish this. We even have an alternate site for the 65 senior units that you are calling affordable. That -- and they would be permanent. All of this is for the benefit of the entire community. We're asking you to postpone this decision so that we have a bit of time to talk with the school system and the owners and if you cannot do that, then we would prefer that you vote no on the PUD change. We have had a number of meetings and we have had a great deal of difficulty getting information from the city, getting onto phone conversations with the city, and we are saying that you need to be listening to us because it is our area that has absolutely nothing here to support what the rest of Ann Arbor does have. So we're asking you once again, if you cannot postpone this, please vote it down. Thank you.

>> Liz, do you have a comment.

>> Yes, I do. Can you hear me?

>> Yes.

>> Good evening members of the council, Mayor Taylor, my name's Liz, I'm a mental health professional working at the Washtenaw family services located at 2140 across the street from the proposed zoning change of the Lockwood zoning lot. I'm also a

resident of Forest Hills Cooperative. A property right next to the proposed lot. I also serve on Forest Hills board of directors. I want to express my opposition to item number PH-1 and PH-2, the proposed PUD site plan agreement. So for the following reasons, first of all, the location serves some of the most vulnerable members within Washtenaw County including kids with severe emotional, development disabilities. They come from all over the county, the crossroad is already a very dangerous crossroad for these members.

For years as a worker here, we were hoping the city would -- well, if you ask the Ann Arbor Police Department or Pittsfield PD, they can give you examples after examples when they were called upon to issue safety for clients running off, sometimes into oncoming traffic. So we, as social worker we hoped the city could build an overpass for the pedestrians, and some safe community park or space nearby for these vulnerable members to hang out. However, the proposed zoning change in the multilevel development plan doesn't really help this issue anyway. It's going to increase the traffic and make this cross road even more dangerous for -- our clients. As someone who also works and lives around this corner I personal attest to the traffic issue here. Whenever there's an accident on I-94, Ellsworth is completely backed up during the rush hours the traffic of parents dropping off kids or picking up kids from school and workers coming to work all converge at the crosswalk so prior to COVID-19 pandemic I used to receive e-mails, mass e-mails from coworkers every week if not more often warning each other to avoid that area. Last but not least the opportunity costs this proposed change is going to eliminate the last blank lot for the community members to envision a potential --

>> Time.

>> -- like AG just described. Thank you, I urge you to vote with the community's best interest in your heart.

>> Thank you. --

>> Thank you, is there anyone else who would like to speak --

>> I have one now.

>> Thank you.

>> Caller with 340. Do you have a comment.

>> Yes, I do. This is Luis Vasquez calling in to support the purchase of this lot. The Lockwood lot. It's time we built more housing. In Ann Arbor and I'm primarily interested in seeing more senior housing as I approach my old age. So I would urge our council to support this resolution to purchase and to rezone that property. Thank you.

>> Thank you.

>> Caller 534, do you have a comment? Press star six.

>> This is Tom Stulberg. You're looking to rezoning a PUD and one of the councilmembers asked a question about a PUD I want to mention some of the recent PUDs we've had and people want to know is a PUD complex? Some are. Some aren't is a PUD a good thing or a bad thing? Inherently neither one. It's just a tool that we use. Does it involve some complexity? Yes, it does. Some sites are complex. And the nature of some mixed use development and some of the out of the ordinary type of land uses or large properties, PUD is the right thing for those type of projects. Often. We recently passed a PUD at the park as a former DTE property. And that PUD is for hotel and for condo towers and a lot of public use space and there's community area that comes to that. The Glenn hotels which is a hotel and some retail down in the hospital. There's a PUD that was done in the building called the garnets. That's producing 88,000 dollars for our affordable

housing fund there and the original proposal for that site was an inappropriate zoning category, an inappropriate use of conditional zoning and frankly, would that have stood up in court. Rookie mistake, that it came to the council as the original proposal and then we get to Lower Town where it was master plan for a PUD, zoned for a PUD and the exact plan that was approved as something other than a PUD could simply been zoned as a PUD. There was absolutely no reason not to zone it as a PUD and the only difference was one difference. That was cheating our affordable housing fund out of nearly nine million dollars. The only councilmembers left that voted for that are Mayor Taylor and Councilmember Grand. Councilmember Briggs was on the planning commission at the time and voted against that right away from a PUD.

To an inappropriate zoning category that cheated the affordable housing fund out of millions of dollars. I may be a broken record but a lot of people haven't heard it before. There was absolutely no difference between a PUD and what you changed it to except you cheated the affordable housing fund out of nearly 9 million dollars. Mayor Taylor and Councilmember Grand.

>> Time.

>> Thank you.

>> Caller with the phone number ending in 742. Do you have a comment? Phone number 742. If you press star six, you can unmute yourself. Phone number 742, if you press star six.

>> Hi, this is Mark. My wife and I have been members of university townhouses for 41 plus years I will make a good faith assumption in my remarks at the beginning and that assumption is that at least as high on council's hierarchy of values is correcting a lack of senior housing is correcting an inequity of neighborhood amenities. The land at 29295 east Ellsworth is the last remaining land in this area for intergenerational community center whose benefits would be quite substantial for residents for the university, townhouses and Arbor Oaks, tonight from where I stand, council has the unique opportunity to correct this inequity by voting to preserve the land for such a center and so giving Lockwood trying to find land already zoned for commercial development in a personal note. Letting Lockwood build the senior housing center, you'd have to believe it would radically change the character of the neighborhood. It would mean something like American house. Right past Forest Hills and Ellsworth. And it brings no benefit to the neighborhoods. Where the considerations of what the residents of these three places, these three areas, what we value, what we want, what we need, it's an issue of representation. And in none of the documents that I've read, not one of them mentions or acknowledges the radical changes Lockwood's proposal would mean for us here in this area. Our values, needs, none of the studies mention that. Now I don't know that that means that those studies are incomplete as they stand.

A traffic study. All the work that goes into a traffic study. That's fine. But, you know, or the building proposals, the site drawings, what are we talking about? We're talking about a radical change in our neighborhood and yet none of the documents have anything to say about the values -- what these changes will mean to our own -- the quality of our neighborhood, the character of our neighborhood and I don't want another American house here. Why is it that Lockwood can't find property already zoned for commercial housing? So what I would like to see is -- the council taking this opportunity to preserve this land for such a center. And --

>> Time.

>> -- voting no onto rezone. Thank you very much. Bye-bye.

>> Thank you. Is there anyone else who would like to speak at this public hearing?

>> Michael, do you have a comment? Michael, do you want to unmute yourself, you can speak.

>> Okay. I see. I'm getting in here kind of late so I'm not exactly too sure what's going on here. If somebody can fill me?

>> This is a public hearing in which we hear the input of the public. This is council receiving information. Not engaging in dialogue.

>> Okay. Well, that's okay.

>> Brandon D., did you have a comment.

>> Yes, thanks. I just wanted to very quickly voice my support for Lockwood. I know it's been kicked around a lot. The last place was also not the right place according to a lot of people and I would implore council to find a reason to say yes. There's always reasons to say no. We need this housing. A lot of it is guaranteed for seniors. I understand the waitlists are long for seniors in Ann Arbor right now. I'm a few years from retirement and I definitely don't want to have to leave when it's my time. Please do what you can to help solve our housing problem here and, yeah, thank you.

>> Thank you.

>> Mayor, there are no other callers with their hands up.

>> Would anyone else like to speak at this public hearing? Seeing no one, this public hearing is closed. Public hearing number two. Resolution to approve Lockwood of Ann Arbor PUD site plan and development agreement.

>> Caller with the phone number ending in 677. Do you have a comment.

>> You are unmuted.

>> Oh, hi. Michelle Hughes and I also wanted to talk positively about this project. I think the -- I think that this -- the Lockwood project should be built. Last time it came before the city council the sentiment was that it was the right project at the wrong place. Well now it's at a different place. And it's -- it remains a good project. It will build a lot of senior housing which is something that Ann Arbor needs and a lot of it as affordable housing which is something that Ann Arbor desperately needs. So please go ahead and approve this project. Thank you.

>> Thank you. Is there anyone else who would like to speak at this public hearing?

>> AG, did you have a comment?

>> Yes, I do. We have already stated that we have suggested an alternative site for those 65 affordable units in this area. The other units that Lockwood is proposing will cost in the neighborhood of 2500 a month to 3,000 a month. So that is not affordable housing. And, again, we reiterate, this area has 5,000 people in a little half square mile. We need to have some -- safe, we designed a community oriented area to have an interaction between the community and the school system so that it is a healthy and happy area instead of one that is walled up in its houses with absolutely no space in between. Mayor Taylor you once suggested that we should just build something on our own land here at forest hills and we have looked at that situation and there is absolutely nowhere where we could even build for ourselves let alone the community at large.

Again, five thousand people with nothing, just a couple of very small spot parks. And of course, the polluted areas at the intersection of Ellsworth and Platt Road which was polluted by this inaction when they were supposed to have taken precautions at the city dump. So once again, this area has been kicked around and not considered and left with garbage on their door step over and again and again and we have been paying property taxes to this city for 50 years. It is time for you to consider the

people in this area. Five thousand of them. Thank you.

>> Thank you.

>> Mayor, I don't see any other callers with their hands up.

>> Is there anyone else who would like to speak at this public hearing? Seeing no one, this public hearing is closed. Public hearing number three, an ordinance to amend chapter 55, unified development code, zoning of 0.9 acre from P, parking to C 3, is there anyone who would like to speak at this public hearing?

>> Caller with 340. Do you have a comment? Go ahead.

>> Yes, greetings, city council and Mr. Mayor. I would like to speak in support of this movement and look forward to seeing something other than just parking at this location. We, once again, we need more housing to be built in Ann Arbor. More mixed use development, that's a prime area to do what is being thought about.

Thank you.

>> Thank you.

>> Mayor, there are no other callers with their hands up.

>> Is there anyone else who would like to speak at this public hearing? Seeing no one, this public hearing is closed. Public hearing number four, resolution to approve 2111 Packard site plan and development agreement, at 2111 Packard Street.

Anyone who would like speak.

>> Do you have a comment? Go ahead.

>> Yes, thank you Miss Beaudry and Mayor Taylor. I live in the second ward. Tonight for a change I'm speak in favor of a development proposal. I have no choice because there are so many things to like about 2111 Packard, it's transit oriented with easy access to buses and bike lanes, it's not overparked, quite the opposite. Besides the 72 apartments it is some street side retail. What really does it for me are the sustainability elements.

It has rooftop solar. More importantly, the building heating system is electrified. It employs heat pumps, no gas furnaces or boilers. I've done the calculations and this will save 550 metric tons or 1.2 million pounds of CO2 a year from entering the atmosphere via natural gas combustion that assumes we get electricity from renewables.

This is six times the emission benefit from the rooftop solar. This developer is doing both. And fully on its own initiative. We didn't even have to ask. I don't personally know Ryan Tobias of Jackson Dearborn Partners or the architect but if you guys are listening, thank you for what you're doing on this site. I hope other developers are paying attention. Thanks.

>> Thank you.

>> Caller with the phone number ending in 677. Do you have a comment?

>> You are unmuted.

>> Hi, I'm Michelle Hughes and I'm calling to talk in favor of the Packard development. It's, yeah, I think this is a great spot, there's lots of businesses in the area that make this a great spot to visit. I know that as someone who visits that spot, and I think it would be a great spot for people to live and so we should build some housing there. What we have in that spot right now is a bunch of parking. A bunch of empty parking. And I think that it's a shame to have such a good -- such a great spot go to waste with just empty parking lots so please approve this project and let some more people live in a cool place and let that place become even cooler by their addition. Thank you.

>> Thank you.

>> Call we are -- caller with the phone number ending in 340. Do you have a

comment?

>> Yes. Once again, Luis Vasquez from the first ward. I really support this development. And, you know, other than reiterate that the former speaker Ken Garber talked about I think this development would go along way to Ann Arbor achieving its climate change goals so I urge council to support this. Thank you.

>> Thank you.

>> Is there anyone else who would like to speak at this public hearing.

>> Kate M., do you have a comment?

>> Hello, can you hear me.

>> Yes, we can.

>> Hi, this is Kate, I live at 1912 Anderson. And like others, this seems to be a great project. I'm part of the neighborhood group that has given input to the developers from the beginning and I'd like to add they've been very receptive I think for the most part many of us feel like it will fit in well with the neighborhood. I did want to bring to your attention one concern that the neighbors have which I think is just kind of slipping off the track.

Or it's slipping by unaware which is the traffic study was the one thing that the neighbors who live behind the project have been concerned about all along and I just wanted to make you aware that when the traffic study was done, it only studied Packard traffic from the road to the stadium. The neighborhood was concerned about traffic during drive times that would actually push through that neighborhood rather than go onto Packard. And, in fact, the Packard study did show that there is going to be some drive time, wait times and slowdowns. And it's not going to be terrible. But I guess what I would like to bring to your attention at this point is, we don't want to lose our walkable neighborhood. We already have a little bit of trouble with cut through traffic. And so in a couple years, you know, hopefully, it's not a big deal, but if it is and we come back to you, we're hoping that we won't have to wait as long as perhaps the people on the street did to get their traffic quieting when the neighborhood changes and traffic patterns change. Thanks for your time.

>> Thank you.

>> Caller with the phone number ending in 150 do you have a comment?

>> Hi, this is Jenny Rogers and I'm just calling to say that I'm very supportive of the development. I think it's a great location. And I think that it'll be a perfect place for additional housing. I live not too far from there and, yeah, I'm just really excited about it so I hope you support it. Thank you.

>> Thank you. Anyone else would like to speak at this public hearing?

>> Mayor, I don't see any other callers with their hands up.

>> Seeing no one, this public hearing is closed. A-1, the special session of January 6, the work session of January 11 and the regular session meeting minutes of January 19, all 2021. May I have a motion to approve these minutes. Moved and seconded. Discussion please of the minutes? All in favor? Opposed? Minutes are approved. B-1, an ordinance to amendment chapter 15, rezoning of 7.23 acres from R-1C, to PUD, Lockwood of Ann Arbor PUD zoning and supplemental regulations. May I have a motion, please. Discussion, please of B-1? Councilmember Ramlawi?

>> Yes, thank you, Mayor. I will ask from the ward perhaps in ward three, you know, at least looking at their reaction for support for this project as I would in any development like this, as councilmembers in the ward you often have to do some extra work when these developments are in your area. So you know more about them. You've heard from the residents and the stakeholders to a larger degree than the rest of us. So I'd be looking in that direction for guidance on this. But I will say

that the petitioner first came to council in 2019 or '18. In ward five looking to develop something similar to this which caused the neighbors to have concerns about the dioxane plume and how it would affect the contamination if something as large as this would be built on top of it. At least that was my concern. I did not support it and the general consensus was to the petitioner was that this was a great project but the wrong site. Unfortunately, some of us were labeled as newbies because that's the classic line for rejection of development. So -- but I will say thanks and I appreciate the petitioners for going back to the drawing board and coming back with a much more better site for this type of project. And I look forward to supporting it unless I hear some strong crazy objection from the ward three reps. Thank you.
Councilmember Hayner, my apologies.

>> I think your mute wasn't going there.

>> Yeah.

>> I just want to say something broadly to this. You know, I have extraordinary sympathetic with the neighbors who have concerns with this property because if you've been on the property like I have, it is very special place, it is the last hill. You can see downtown from there. Unfortunately for my being -- my ability to add to this conversation, I, again, have to assert that I have a personal relationship with the property and the property own their creates a financial conflict so I will ask the body for a recusal to vote on this. That has not been cleared up between our last opportunity to speak to this and tonight and so with your acquiescence I will recuse myself from conversation on voting on this matter. I think also that will also include not only the rezoning of it but the approval of the site plan, unfortunately.

>> A motion please on the basis of financial connection to excuse Councilmember Hayner from B-1 and DB-1. Moved by Grand, Radina, discussion? All in favor?

>> Aye.

>> Opposed?

>> Councilmember Hayner, you may step down for B-1 and DB-1.

>> Thank you. I apologize I can't contribute more.

>> Further discussion of B-1, Councilmember Disch.

>> Thank you. I also want to express that I have heard from many residents of their unhappiness with this development and I do understand that it does feel like an intrusion and doesn't feel affordable to them. That being said and acknowledged I think it is also important to say and acknowledge that over the next 20 years the senior population in Washtenaw County is expected to double and I will be in that demographic category. Our housing stock is not ready for this event. Many homes in southeast Michigan are older than the national average. And that's something that we value because it gives us charm but it is not easy for seniors who are attempting to age in place. Providing rental housing for seniors is especially important because housing costs can make it difficult for senior to downsize into more appropriate housing. Housing costs in Ann Arbor at least. So approving the Lockwood development is a small step towards preparing for a population shift that is going to hit us like a ton of bricks. So what is I think very promising and meritorious about this proposal is that the developer is required to provide 15% or 23 units of affordable housing. They have agreed to provide 40% or 65 affordable units that will be guaranteed affordable for 99 years and affordability is defined as reserved for households with incomes no higher than 50% of the area in the income so I think that in view of what is coming, it is only prudent to approve this plan and I hope that we can find some other way to mitigate the affects on this neighborhood and provide the amenities they have indicated they feel shorted on.

>> Councilmember Radina.

>> Thank you, Mr. Mayor and I also want to speak to this project as I have shared previously can I see this site from my house. It's very close to where I live. I have been in conversations with neighbors about this for probably almost a year now. Since before I was even running for council. I've been talking to neighbors and attending community meetings and have had a lot of conversations about this. I will likely be disappointing some of them tonight when I say that I have ultimately come to the conclusion that I have to support this project. They -- I went into this I would say with a healthy bit of skepticism. There were a number of concerns that I had that throughout the process have been addressed. I want to commend city staff for that, they have done considerable work for making sure that some of the major concerns that were being addressed by members of the community were heard and worked with a developer to address some of them. Obviously, there is the significant benefit of affordability when we're looking at, you know, 65 units of relatively affordable housing for seniors for the next 99 years. This fits with our goal of transferring to development along a major roadway. One of my concerns was related to stormwater run off and I know we're actually looking at options that would likely increase our stormwater retention.

And actually improve some of the scenario that currently exists.

And it would significantly be better than an alternative that could currently go on the site which if this were redeveloped into a single family subdivision this could create more problems for stormwater runoff and I think that one of the other big pieces I know we have talked about as a body and previous bodies have talked about it is some of the natural features of the site.

And some of the landmark trees on the property and I know that staff has worked very hard with the developer to make sure that I think it's 21 of the 31 landmark trees on the property are going to be conserved. We had concessions as to where the building would be located to provide a 70 foot buffer between the parking lot and the neighboring facility at Forest Hills and so while I know that there are still a lot of concerns in the community, particularly in our neighboring co-ops about the lack of amenities in the area and particularly with some of the troubling history with the city around the dump across the street, I have to look at this proposal that's before us as the proposal that's before us and we don't have -- we're not being faced with the choice of a senior housing development or a community center. That absolutely would have value in this area. But is not what's currently being planned for. Not what's budgeted for. And frankly the city doesn't have control of the property. We don't own it. Thank you.

>> Councilmember Grand.

>> Thank you. Well, Councilmember Radina saved me a lot of time because he brought up almost every point. I just wanted to point, one of my biggest concerns for that neighbors -- and I do want to mention that -- I don't think there's total consensus that all neighbors and all people in the adjoining neighborhoods are against this project. I think we heard a lot of mixed feedback. And I just want to acknowledge that. That there are many people who feel that they live in relatively affordable housing and are proud of the history and success of the co-ops in this neighborhood and in this part of the city and want to see similar opportunities for new neighbors to -- to also have access to affordable housing. But to me, one benefit that comes from Radina's mention is he started to use is the -- that all of the landmark trees, every single one that's adjacent to Forest Hills, when we heard concerns about what is my backyard going to look like, how is this going to feel? That, you know, I think

that was addressed. The -- we do have to look at and evaluate what's before us and there are a lot of benefits to this project. One of which I think is being able to interact potentially in the future with the K-2 school that is very close to it I think there's a lot of potential for interactions between senior housing and an early elementary school so and I know there's interest from the developers. I appreciate that staff made so much time to reach out and meet with us as councilmembers, meet with neighbors, and answer their questions in detail, provide follow up documentation. So I do want to recognize Mr. Kowalski for doing that and give them my sincere thanks and look forward to welcoming these new residents.

>> Appreciate the councilmembers outlining the benefits of this project which is also where I -- when I look at what this proposal adds to the city, also it makes me supportive of it. I do sympathize with the residents in wanting to see other amenities. This land is privately owned and currently zoned R-1C. It's not that we are facing a choice as Councilmember Radina said about having another option to look at. But I do think there were some points raised by residents that I wondered if we might be able to consider for the future. I don't think we've done an equity analysis for ranking amenities by section, town, neighborhood, or also sort of burdens that certain neighborhoods may have faced by previous land use action? Has that ever been done in the city or been done recently?

>> Comprehensively, I'm not aware of it. I will say, at least part of that is done on a regular basis from a parks and recreation perspective. One of the things that happens on a regular basis is mapping assets and actually the proximity of different kind of assets. That's just one resource but that is done. Certainly, through the transportation planning process, prioritization is done about -- on a variety of sort of needs, gaps, conditions, so that is done as well. Your question probably could be quite broad depending on the types of aspects that you would want to look at that. So I guess the short of it is probably not comprehensive.

>> That's what I want and something we'd want to consider in terms of equity work. Thinking about what those questions would be and how we might assess that if, you know, this process had been done there the past and we could really identify a real need in certain neighborhoods, we might proactively work to address those needs in different ways. So just maybe a challenge to our body moving forward that we might want to work on that maybe when we get to the master land use update or something like that as well. But I will be supporting the project tonight.

>> Councilmember Song.

>> I live just a couple blocks from Glacier Hills where there's 160 rooms and as I mentioned in the beginning, this is a community that is really integral to our neighborhood. We have kids volunteering regularly pre-COVID, relationships with King Elementary green hills, you know, up through the high schools. We have families with grandparents that live there and we have kids on bikes that can visit their grandparents and can. I hope folks can see this as an opportunity of growing a neighborhood and growing a community that can be inclusive and welcoming to neighbors. And I also want to point to the long view. If we look to Lloyd terrace which was built in the 60s and that's eight stories high. We can see examples of senior living that's essential to our community over, you know, a long period of time. So I hope -- what -- the votes and the decisions that we make tonight can be seen in that lens where we're addressing a need, a demand, and hopefully contributing an asset to the community that 40 years from now can be like Lori terrace.

>> Further discussion? Ramlawi.

>> Thank you Mayor Taylor and to my colleagues who have done more here with engaging the community and working to solve some of the issues to make it more palatable. This does seem like it has the support of council tonight. Many of you have already touched on the policies that this helps target aging in place affordability and many others. And I will just mention this since it was brought up earlier in today's meeting the use of a PUD. And we see here, we're going from single family residential district to a PUD to accomplish these goals. So, again, as PUDs aren't always a bad thing, here we're using them to achieve some of our goals. So I just wanted to put a little bit of light on that as an example of a positive use of a PUD. And I'll be supporting this tonight. Thank you.

>> Further discussion? I, too will be supporting the resolution for many of the reasons identified by particularly councilmembers Radina and Grand and it is true. We all know that the senior population in the city of Ann Arbor is increasing and will be increasing substantially over the next coming years and we are suffering an affordability crisis. This develop aims to address these needs.

This will be disruptive to adjacent property owners but has been noted the city staff has worked well with the developer to mitigate those concerns. There'll be stormwater improvements. There'll be a substantial setback. Landmark trees will be preserved. There'll be improvements and aggregate community benefits. So I am -- further discussion? All in favor?

>> Aye.

>> All opposed? We have ten councilmembers present. All voting in the affirmative. It satisfies the eight vote requirement. B-2, an ordinance to amend chapter 55, zoning of 0.9 acre from P, to C 3. Moved by Councilmember Disch. Discussion, please, of B-2. Councilmember Disch.

>> I kind of feel like Ken Garber did my job here but I will say from the discussion of the planning commission on this project, this is an exciting project that transitions an existing property that takes you back to the mid-20th century. Transitions that at warp speed to the 21st century so this will be a -- this -- as -- sorry, this will be a 72 unit, three story rental apartment project, rental housing is good. In a place that is currently a strip mall and a parking lot. And a site of trash a lot of times it sounds like. The developer in a desire to appeal to people who want to live by green values decided to make -- to put solar on the roof which will provide about a 6.6% offset of its energy use. That doesn't sound like much when you say the neighbor but it's relatively high given the size of this building and it's a lead silver equivalent and as Mr. Garber said the really exciting feature of this building is that the heating's electrified. This is not just good for this building but this is good to show other developers that it is possible to do this. And it does not raise your costs to a prohibitive level. And this developer did refer to this project as a passion project. But I don't think that they're taking a loss on their passions. So we'd love to see more of these. There will also be significant filling of a sidewalk gap on the north side to complement what others have raised that this is a transit family, transit supported project so that's enough from me.

>> Councilmember Grand.

>> Thank you. I think the support that we heard tonight from adjacent neighbors and people throughout the city really speak to the strength of this project. The strength of the process that this developer went far above and beyond the requirements not only in meeting with neighbors but responding to their suggestions. And I know the one concern from the neighbors, although I think from a safety perspective, eliminating the curb cut on Packard is a real positive which is great in terms of, you know,

especially as we look to more cycling and walking, I think the building interacts with the street well but I know there's the concern about, you know, is there's going to be an impact on cut through traffic and I think it's perfect that we made changes as a council that if we need to engage in some sort of traffic mitigation either on Packard just to slow things down or in the adjoining neighborhood streets, that I'm certainly willing to partner with neighbors to work towards that end if it becomes necessary. So I am just, you know, really thankful to all of us who came in and support it and participated in the process of making this a strong project. It is an area I frequent and look forward to seeing what welcoming those neighbors and having -- seeing what gets put in the retail mixed use part of this space. Thanks.

>> Mr. Radina.

>> I will be relatively brief because I think everything I wanted to be said has been said more eloquently by the councilmembers or the public who called in. Ultimately, I want to say how much I appreciate the work that went into this and really applaud at the outcome. I think it is a testament to the strength of this project that even the residents who are calling in to voice concerns are sharing their pleasure with the potential of a project here and converting what is otherwise a very unpopular parking lot into this development and so I too like Councilmember Grand just want to reiterate they will be keeping my eye on some of the neighborhood cut through traffic and things like that as I stated when I spoke with residents. I'm always looking forward for opportunities for traffic calming and making sure our neighborhoods and our streets are safe for all modes of transportation and so I think we'll all be keeping our eye on that as we move forward and if we see significant increases, I think we can work together to make sure that we can reduce some of that. Thanks.

>> Hayner.

>> To speak to the zoning only here, so by rezoning parking to C 3 to bring the whole site to C 3 is it is my understanding that that is consistent with the land zoning. This is maybe a comment and a question. When we speak to commercial uses on the site, is that consideration -- does commercial use and our land use element mean it's a rental property so it's a commercial use? Even though -- and that's primarily residential in nature or does -- do we consider commercial use like a, you know, commercial like a retailer or a grocery or a mix of both.

I know this has been referred to in some of the planning documents as mixed use. But, you know, here we have another situation where mixed use is -- I think it's about 96% residential and 4% retail and that's an improvement from Lower Town which somebody spoke to about something elsewhere we had half of 1% was a retail and was still considered mix use and so I guess my question is what -- when we talk about commercial use on this. This is only to zoning. I think the project is fine. When we speak to commercial use, are we talking about residential use because it's just allowed in those tables? When we talk about land use elements and people saying I wish we had a little grocery store, we have a lot of these wishes, are we able to grant those wishes when we allow C 3 zoning to be primarily residential.

>> When we're talking about commercial, our unified development code provides for a variety of uses both residential or commercial. That was a change that the city made, I don't know specifically, but actively made that change to provide more opportunity for mixed use development as opposed to a more segregated where you could only do commercial in commercial zones. When we talk about commercial, we are talking about those zoning districts that do allow either residential or commercial or both and we do not require mixed uses, rather, we allow for those mixed uses. In those districts. As it relates to residential specifically, I think at the beginning of your

question, we don't distinguish between ownership or rental of residential. Residential is a land use. We don't regulate the type of ownership structure of those residential uses differently.

>> Is it possible that this is something we should explore so we can get more on track with our goals of creating, you know, kind of tighter, more mixed use walkable communities.

>> Allowing -- it's going to allow people to say hey, here's -- say, if my thing is maximum profit I'm going say, hey, they're allowing me to maximize my profit and I don't care what the community thinks about it. Is that something that we can consider and do we have the authority to describe our zoning in that way?

>> Councilmember Hayner you set up that conversation well with you and the council directing the planning commission to work on transit zoning. That is one of the aspects that we are considering is, is that an opportunity to go from where we allow mixed use to require mixed use? I will say we are having questions about that. Both the planning commission and staff level as, you know, one of the things we want to be careful of is obviously meeting the goals of those corridors. Not every site can solve every problem and when we mandate, for example, mixed use on properties, that is, we're adding a provision to that, each property where it could make a realization of the overall corridors more difficult. That is something we can look at and something we're looking at as part of that transit part of zoning. I think it has both some potential pros and some potential cons and that will be something that will also -- may come back for you with some analysis and ultimately recommendation.

>> Thank you.

>> Further discussion? All in favor?

>> Aye.

>> Opposed? It is approved. Let's see if we can drive through these. DB-1, resolution to approve Lockwood of Ann Arbor PUD site plan and development agreement, 2195 East Ellsworth. Discussion, please, of DB-1. Councilmember Ramlawi.

>> Just real quickly, I will be supporting this and I really do hear the concerns of the residents who have expressed disappointment with this proposed project and feel that part of town is being treated differently than other parts of town and it's definitely been registered. And I'm hoping that the fears and concerns that have been raised regarding traffic are not realized. But I am sympathetic to the concerns that have been raised for the residents in that area. According to some it is a pretty densely packed area with over 5,000 residents. As we go forward with trying to correct our issues here in Ann Arbor with affordability and sustainability, I just am concerned with the burden that we're placing on those future development, in those future residents, whether -- the equitable cost to level the playing field is being applied evenly. Or if we're asking parts of our community to shoulder the burden in inequitable ways in order to correct past policies that have created those inequities and I have seen this in many policy issues that we discuss. And I would just like to bring some light on that and be cognizant of those decision as we correct some things. I fear we might be displacing the burden on those we are trying to be helping. So, thank you.

>> Further discussion? All in favor?

>> Aye.

>> All opposed. It's approved. DB-2, resolution to approve 2111 Packard site plan and development agreement at 2111 Packard Street. Discussion please of DB-2.

Councilmember Ramlawi.

>> Thank you, Mayor. As been stated already in many different meetings the public engagement process with this development has been robust, has been exemplary, the developers obviously want to do more than just the bare minimum. They have shown compassion in their listening, they've made changes. Have they gone far enough in achieving some of the goals that we're trying to get to? I think it touches on my previous comment where they're doing some but there's going to be, you know, challenges to whether that's enough and I guess that's going to be something that we're going to be wrestling with. With many different developments as they come down the pike because A, it becomes costly for those projects to deliver on those aspirational goals. And I wasn't sure whether I heard it properly from Councilmember Disch or not about electrification of the heating system and the heat pumps and I took a quick glance again at the development agreement. Didn't see anything that referred to that. I was just curious whether -- is that the case for this development to have more than just the solar panels I think and the storm retention and I know they've done some other things but when I indicate to the electrification because we'll be looking at other projects and I want to get more comfortable and familiar with the conditional development arrangements. So is that part of this development? Is staff around to be able to answer that?

>> This is Jeff, I am the planner who worked on the project. With regard to the electrification system and the heat pump system we did not include that in the development unit although there is language in the development unit with regard to the solar panels.

>> Okay. The solar panels will generate about 7 percent or a little bit less than that -- of what the site consumes, is that correct?

>> Correct. We -- identified 6.6%.

>> Okay. Well, thank you, and I appreciate you clarifying that up. So I just want to -- it's going to become a really thorny issue as we go forward I believe with some of the expectations and requirements that we're placing on developments.

>> Councilmember Hayner.

>> Thanks, Mr. Mayor. You've heard me talk about the buildings in the future. That electrification looms large. I guess we're taking them at their word for that. It's better than not even having that word of course. If some of the things that make this a building of the future besides the electrification and removing parking for more needful uses are some things that I have been struggling with in the past about building buildings like this and that's the, you know, this notion of 0 setbacks, pushing stuff right to the sidewalk which seems to take up space for future gain for nonmotorized future uses. And the same might be said for the pull off for deliveries. We've seen with this other developments. There's the push right to the sidewalk and there's no place for the delivery trucks. Bus stops, anything like that. So -- my only concerns with this building are those where, my primary concerns are those where, you know, we don't have setbacks. You know, something with setbacks and we didn't indicated things where there might be ride sharing in the future, more deliveries in the future, like we see now with COVID even. I worry about that where we shoot ourselves in the foot when we push ourselves right to the sidewalk and of course there are the parking disruptions that this neighborhood is likely going to live with. We understand that having these -- getting rid of these parking minimums or setting low parking maximums is one way to discourage car ownership though but it just discourages placement of car ownership. That may change in the future and that would be awesome if it did but for now this neighborhood will have some of that

disruption. All told, it's worth it. I just hope that unique alignment of retail space is enough to serve the small businesses that are not going to be anywhere anymore and they can find somewhere else to do their business. I just wanted to share those concerns with the body. Thank you.

>> Councilmember Disch.

>> Yeah. So I'm just looking through the notes are voluminous from the meeting where we talked about this but the electrification are from the notes I took from our planning commission meeting so is it not a part of the development or did I miss something or did I hallucinate and -- are Ken Garber and I sharing the same utopian dream. I wonder if you could clarify that.

>> This is Jeff Kahan I recall the developer expressing an interest in the heat pump. They did make a commitment to solar both by showing it on the site plan and agreeing to include anytime the development agreement.

Brett Lenart may have some additional information.

>> I do not. The solar is required. The electrification is not required.

>> Councilmember Ramlawi.

>> Thank you, Mayor Taylor. Just a couple anecdotal points I'd like to bring up. You know, I -- the parking as Councilmember Hayner mentioned we're going to be challenging the American notion that comes with automobiles and the freedom that's associated with ownership of automobiles and that's going to be a very hard addiction to break. I just know that 110-120 years ago the automobile was actually marketed as a solution to parking problems with the horse and buggies. It was thought that automobiles were a solution to the congestion that horse and buggies. So I just, again, things move fast. Things are going change but the irony that policymaking sometimes faces with time. I will also say that, you know, we discussed mix use. This is a very high scoring development when it come to mixed use because of its location, because of the transit oriented avenues. There's been talk in the past and there's been developments that have been made Lower Town, 618 South Main. George Town which purported to bring more mixed use amenities for the area but in all three of those instances the existing amenities disappeared after the developments. And these places became somewhat deserts of amenities. You know, you had South Main Market. A strip mall with a bunch of independent small local businesses. Gone. There's a place where Lower Town is now. A strip mall of businesses, gone. Same thing with Georgetown. I don't have those fears with this development but I will be registering those thoughts as we go forward when we talk about the advantages of mixed use. In many cases it's done the exact opposite of what we're trying to achieve.

>> Councilmember Grand.

>> Thank you. I just wanted to point out the biggest issue that the neighborhood has with parking is people coming and parking in their neighborhood so they can take the bus to the university. That, to me, speaks volumes in terms of the likelihood of, you know, especially multiple car ownership or some of the fears that we've heard and I think if we see a lot of the fears in other developments and larger ones that are closed to amenities we're seeing a lot of unused parking spaces. So I really do think this is -- this is going to attract residents that may want to be, you know, a one car household or a no car household or using, you know, shared car opportunities so this is really a space where -- where transit is used heavily and there's a lot of use in, you know, before times and I'm sure after times of the number five so I think we'll continue to see that. Thanks.

>> Further discussion? All in favor?

>> Aye.

>> Opposed? Approved. It's 10 o'clock now. Let's take a short break and come back at 10:10.

>> I'm excited about what comes next and looking forward to working with the community on this.

>> Councilmember Hayner.

>> Yeah, well, thank you, Councilmember Briggs for opening up that and pring seven forward like this. I am going to move to strike or table whatever for the DC-1. I don't think it's going to be necessary. Everything we need to discuss and consider is right here in DC-7 and we did work on this over the last couple of weeks and council charged us with coming back with some names and we did. I don't fully support all the names on here because some of them applied after the deadline and that's the way it goes and we were advised by Mr. Frost, one our city attorneys that that was completely up to council. If we do this we're waiving that deadline post, after the fact. I don't really think that's appropriate process for us but here it is. And so we have the overarching consideration here that we just keep moving forward. I know it's a little bit unusual that we have conscience the move the seats from 3-4. That was essentially so I got to pick one. So it also creates a situation where we have twelve folks voting instead of an odd number like we have here on this body and the consideration around that is this is supposed to be a commons situation where we're in agreement on how things move forward that we don't have this artificial disputes or segregation of the body. Some people are for it, some people are against it. We're trying to get away from all of that. It would be like any other situation. If someone, like, you know, if I had recused myself, if it was 5-5 it wouldn't move forward.

If it was 6-6 the considered item won't move forward. Hopefully it won't come to that. Hopefully we'll have things that we can get behind and support and can get the project moving. That's where it stands and thanks to Councilmember Briggs for getting together on this and let's put this part of it behind us and look forward to creating some much needed public amenities the our downtown, thank you.

>> Thank you and thanks to my colleague who worked on this and spent time on their schedule to work this out. The process has been clunky to say the least. And it is still somewhat unclear to us here tonight what's being proposed. I believe I know but it really does take a sleuth to figure this out. There's going to be a substitute resolution I believe brought forward to supersede what is on the agenda now. So this is been a very difficult process to follow and comprehend. So by -- this right here, again, is just stating the purpose, it does not include the names. Voting for this, the names come next I believe. What was that -- by -- I'm going to be asking this constantly during this resolution. What was the benefit? What was the thought behind adding a fourth name to this list? I really would like to know what was the impetus? What really is the motive behind that? What -- because the original resolution obviously called for just three if --

>> Councilmember Hayner.

>> That arose out -- I thought I had just -- it was evident to me that there was a list of names that was going to be brought forward and that folks that I thought had equal considerable value for the process were not going to be on that list whatsoever. It was a thought exercise. Was there a reason that we picked at three. Or set the total folks at eleven. That's where it came from. It was an effort to get some consensus on a list of folks that are willing to serve. And are qualified to serve. That's where it came from. You know, to be frank, if I wanted one more name on there we'd have to

put more space on there for it.

>> Councilmember Briggs.

>> Yeah, you were in there. Obviously there's been a little bit of debate around sort of the different composition of the council moving forward. I'm excited about the fact that we've had so many applicants that have been -- that have applied and expressed interest in the council of commons. There's obviously been a little bit of debate. I think Councilmember Hayner has expressed, you know, some considerations on that. There's -- I think -- a fair amount of agreement. He expressed strong support for two of those four applicants. That were on that -- that are proposed. And so -- you know, we could debate for a long time about what the exact composition of the committee is. I think we're lucky to have so many people who want to volunteer for our community. And having moving to four at large is an opportunity to move towards a little bit of a unified body moving forward and I think that's a good thing for our community. I really appreciate Councilmember Hayner's suggestion to do that and to consider that as twelve and to find some opportunity to find some common ground. So --

>> Councilmember Radina.

>> Thank you, Mr. Mayor, I just want to -- after I think what we can talk about what was a frustrating experience and I appreciate them doing some work on this with a compromise that gets this moving forward and allow this is work to happen and also provides what it sounds like will be some balance to a commission that will require folks to work together and get to a consensus rather than a majority vote or ruling a minority vote or anything like that and I just want to express my appreciation for, I think that this is one of the examples of kind of the growing pains of working with new colleagues and trying to figure out folks' preferences and things like that. But I appreciate that in the end we're hopefully having a good compromised solution that allows us to move forward and allow this is body to get to work. Thank you, all, for your work and putting in some extra time so we did not have to vote on kind of duelling resolutions but rather have something with both of your names on it and something we can feel more competent moving forward with. Thank you.

>> There's been plenty said about me in the community this week I want to talk about my perspective on this process briefly. You know, I really appreciate that the councilmembers are finally coming together and talking this out. I, you know, one of the concerns and I'll be really honest, they raised and Councilmember Ramlawi, I believe you have spoken twice already, that the composition of what came before this was four people from essentially the same group and that if we were to have community buy-in we needed to have a few more people who really were not from one side or the other on this and just to bring frankly some neutrality to the process and I think there were, you know, three members on Councilmember Briggs' list who bring a lot of skills and also just to not really being on one side of this or the other and I think that's necessary to move forward. You know, I think, I really did approach this with the desire to see if we can get somewhere. With this. And I'm going to be honest. I still have my doubts. But I took, you know, three hours on a Sunday to try to meet and hash this out and I think as we have conversations about our rules, you know, we do need to -- we are going to be thinking about how we not only talk about one another at this table but in the community. And if we are going to work together, I want to be able to have conversations with all of my colleagues and not feel that -- or hear back from a bunch of people. I think people in the community are sick of that kind of behavior. I hope that we can -- I hope that we can move forward and that I don't have to have as a result of a conversation that I've had with

councilmembers the kind of feedback that honestly lead to an anti-Semitic comment on twitter created about me. I'm not saying no one was to blame but it is exhausting and this is, like, exhibit A of why this is exhausting and we have to be able to have honest conversations about what is realistic and move forward and those are hard times and that's part of the work.

>> Councilmember Ramlawi.

>> Thank you. This would be my second time. You're correct we did come together on a Sunday and I was there to hear the conversation. But I know my role in this and I'm not one of the two councilmembers who signed their name to this resolution and bring it forward for council's consideration. I also believe that this is the right forum to really share our ideas and thoughts on matters. This is a public body. We shouldn't be afraid that those conversations that we have amongst ourselves later get talked about in the public sphere. I mean, it's just -- I'm not sure if that's -- I'm comfortable with that. There was a lot of talk in the meeting and there has been right now, more so, about a compromise. And I am not sure if that's the word that I would characterize the conversation that occurred last Sunday. It was not a compromise. Perhaps maybe it was a compromise for the council minority to find a name they wanted to put forward. There was an ultimatum on how this could go forward and the only way for Councilman Hayner to bring forward a name was to bring the list to four. I'm not sure what kind of compromise this is. I want to make sure the public understands the process this took and there was a compromise on understanding the deadline and allowing more applicants to be -- to qualify. I don't know if I would characterize this as a compromise. I really don't like the idea of labeling people. And saying that we need to, you know, there was one side that was overrepresented so we needed to bring in more people to balance it out. I think the polarization that continues to occur is fuelled by you know, motives that are driven, trying to balance out the people on this committee. And so we all do want to move forward. I will support this. But I also just want to make sure that we're transparent and clear to the public on how we got to where we're at and that's all.

>> Councilmember Eyer.

>> Real brief, I appreciate the work that everyone put in on this and I think we came to a good resolution. Far better than we were at our last meeting and given the amount we still have on the agenda I hope that we can vote on this thing that everyone agrees on and keep moving.

>> Councilmember Grand.

>> Just to respond quickly to something I've heard. I served on both the majority side and minority side on this council and, you know, it is the job sometimes of a minority member on this council to -- if you want to find common ground to make some compromises. It's sometimes the job of the majority members to make compromises. I understand when I share common values with people and positions and will not apologize, you know, if it makes you uncomfortable then I'm going to push forward an agenda where I have a majority of people who agree with me. That's fine. I know where my values are. And that's what I promised people that I would do to try to support policies that are in line with my values and what I see as a vision for this city and there's just a lot of language around feeling uncomfortable which is not what people want to hear.

>> Councilmember Hayner.

>> Thank you. I want to talk about DC-1 that lists the actual names in case you were unaware of who that was. And we can discuss when we get to that. Only some of those names were put forward previously. These are eight appointments. I want to

call your attention to that e-mail. Thank you.

>> Further discussion? Of DC-7.

>> For my part I'm glad it's moving forward. I am happy we were able to work together where this will have a Council of the Commons that is multiperspective and I will also thank staff for focusing on articulating the purpose of the council and I think that's going to provide the useful loads for the group as going forward. Any further questions? All in favor?

>> Aye.

>> All opposed? DC-7's approved. DC-1, resolution to appoint three at-large members to the council of the commons, and confirm the PAC appointment to the council of the commons.

>> I would move to substitute wholly the resolution that was circulated by the clerk. Which now describes the four members of the commons and also speaks to some other issues around that including the necessity for eight votes to appoint these because the majority of these folks are considered single hearing appointments and so it requires eight votes by our rules.

>> Is there a second to that amendment? Seconded by Councilmember Briggs. Is that friendly to the body? It is substituted, frankly. You still have the floor.

>> Thank you for consideration of that and hopefully you've had a chance to review some of these folks' names. We had an amazing group of applicants to be frank and I think it was very difficult for us to come to even four which is one more than we thought we were going to get and so I encourage your support on this to get this moving and I think that not only do we have on this group before you named folks that are genuinely interested in this process but I encourage everyone who did apply and not given a seat to stay involved as the resolution also says because by essential means are we going to move this forward and get a broad range of perspectives on this public project. I appreciate your support on this.

>> I want to speak of the merits of the four people here. Four people who were nominated here I should say. For the at-large positions and we -- it's an amazing wealth of talent and I know that the list also had terrific names on it but we have a former state representative who certainly has experience working collaboratively to create public goods. We have a woman with a long history, she's a historic preservationist that participates with great ideas that take a long time to come to fruition. She worked with the tree line trail. She looks like someone who has a vision and can keep going even in the face of how long it takes. And then a graduate student in the planning -- in planning at the University of Michigan who's been an aquatic field intern and a zero waste program intern for OSI. She'll be fabulous. And a woman who is a senior VP for marketing communications for events at Spark. She should be able to establish a public presence, a social media presence for this group and its efforts and bring in community participation. So I am excited about this list and I'm voting for it on its merits.

>> Thank you. Before Councilmember Griswold perhaps I will say it occurs to me that folks in the public may not know who is on this list. It came to us by way of substitute resolution and that is just for clarity the Steven B. will be the park and advisory commission representative, Sarah, the planning representative, the four at-large members here, Adam, Camilla, Jennifer Cornell, and Alice. Councilmember Griswold.

>> I just want to speak to Adam Z's excellent leadership skills. He also has a master's in engineering and so I am thrilled that he is going to serve.

>> Councilmember Hayner.

>> Thanks, just briefly, I just -- you know, I want to apologize for the substituting in this way. I kind of had it in my head that Mr. Frost was very gracious and helped us work this out ahead of time and I don't -- I believe I didn't move properly to have it published the agenda. So my apologies to the public and my councilmembers here. I just want to clear that up from a process perspective. I had it in my head it would be substituted.

>> I certainly meant no censure by it. No critique. Councilmember Ramlawi.

>> Thank you, Mayor, I appreciate the work that had gone into this and the consternation that was experienced to get us to this point.

I'm happy to see two ward five residents on this list. The mighty fifth is well-represented here. And appreciate the willingness of our residents and citizens to take time out of their busy life to commit talents and efforts to make sure we succeed.

And I appreciate everyone on this list entering this with nothing but good intent. I apologize to some of the community who feel they may be walking into something really mucky.

But that is not my intent and I want to make sure these folks get the support that they deserve. And to succeed in this and there'll be much more to talk about but hopefully we can begin a new chapter and realize the potential that is there. Thank you.

>> Councilmember Briggs.

>> I guess finally, what hasn't been said is just many thanks to every single person who put in an application for this. Honestly, it was a really great group of people. The fact that your name wasn't selected wasn't mean you weren't perceived as a great addition to the group. Hopefully everybody will continue to stay involved. This is the council of the commons and we're hoping everybody shows up at meetings. So, thank you.

>> Further questions? All in favor? All opposed? It is approved. DC-3, resolution requesting that the city administrator determine the cost and feasibility of supplemental snow and ice removal of our pedestrian infrastructure to improve pedestrian safety. Moved by Councilmember Griswold and moved by Councilmember Eyer.

>> Mayor, I think we skipped DC-2.

>> We did. My apologies. So hold back on DC-3, move onto DC-2, resolution to approve the city of Ann Arbor membership in the Washtenaw regional resource management authority. Moved by Radina. Discussion please of DC-2. Councilmember Ramlawi.

>> Thank you for sponsoring this for the new council to consider. This came to a previous council and at that time there was a lot of balls in the air and one of them was our -- and we didn't have a roadmap for the future of our recycling and how it all worked intricately together. It was -- my reservation at that time with these uncertainties as well as some other issues pertaining to labor, that -- and voting membership and the fact that it's not weighted based on size of the community and their contribution to this authority. But my biggest single factor that I voted against it originally has been addressed and that is the merph and unfortunately, that is going very well and hopefully it will be operational and make more sense for this authority at this point.

I'll weigh in, I was waiting to hear some major objections from other parts of our community and to this point I really haven't heard any. So with that, I feel more comfortable tonight, supporting this, whereas I wasn't before. So -- I will leave it at

that for now. Thank you.

>> Councilmember Disch.

>> I wanted to speak as a member of and for the environmental commission which is very excited to see this move forward. And I would second Councilmember Ramlawi on the fact that participating in this agreement should help materials recovery facility, bring in resource to the city because it will be able to process considerable recyclables from surrounding municipalities as it once did and just to note that this past summer, the authority made a couple of changes to its structure that make this a more appealing arrangement. One of them being that the board cannot approve a contract that requires an expenditure of over \$5,000 without the approval of every member of the authority and that's very important. Because that means that there won't be an interference with our responsible contractor policy and we can opt out if there ever is an interference with our policies about not outsourcing union labor and our policies of paying a minimum -- a live -- excuse me, a living wage to nonunion workers. So there have been important advances on both sides that make this a very appealing agreement.

>> Councilmember Radina.

>> Once again, I need to keep following Councilmember Disch because I can keep my comments briefer. I want thank the mayor and the staff. I know this took longer than originally anticipated but I think all the things that were giving us pause, it allowed us to have a more robust discussion around the issues of labor and making sure that we would not be compromising some of our values supporting workers and work conditions in order to be part of this and if anything, I hope that some of the changes that Councilmember Disch highlighted will actually encourage, you know, some of the neighboring municipalities that may not have a strong of labor standards as we do here in Ann Arbor. To consider stronger ones because they'll want us to be part of this coalition long-term and so thank you for everybody for their work on this and for making sure that these questions were answered and that we can make sure that Ann Arbor's values particularly around labor continue to be upheld through the this agreement. Thanks.

>> Further discussion? I appreciate the various questions and clarifications requested by members of the council and members of the public with respect to the governance of the organization and to the extent to which the authority commits the city of Ann Arbor to any particular action. That being it doesn't. The bottom line here is that this participation, this authority is a win-win I think. It will allow us, well, it will not impede us as we remain true to our values with respect to organized labor and commitment to responsible contract but also it will enable us to advance our carbon neutrality rules. We all know we cannot achieve our goals as an island that we require regionalism and activity outside the city in order for us to achieve our A2 Zero goals of carbon neutrality by the year 2030. Regional research management states that recycling is part of that Vin -- venture is with Ann Arbor being a full participant with a Merck that is on the way under the guidance and -- of recycling in Ann Arbor, I am excited about the opportunities that we have before us. It is approved. DC-3, which you're all been waiting for. The resolution requesting that the city administrator determine the cost and feasibility of supplemental snow and ice removal of our pedestrian infrastructure to improve pedestrian safety.

Councilmember Eyer.

>> Thank you. Ms. Beaudry, I'm wondering if you can send around the proposed amendments. That I have and while you're doing that I will just -- I'll just read them. Councilmember Griswold and I had several conversations around this. We talked

about the need to clarify our intent. With regards to city wide sidewalk snow removal.

I'm proposing we had a whereas clause and then also add -- sort of a new portion to the first resolve clause. So the first -- the whereas clause would be the last one. And it would read whereas the nonprofit group SnowBuddy is developing new and creative ideas for expanding sidewalk snow removal citywide that merit consideration and in the first resolve clause after pedestrian safety as well as citywide sidewalk snow removal in partnership with --

>> Is that friendly to the body? It's not friendly to the body. You're still on the floor with respect to the amendment.

>> Well, I -- you know, I think the amendment stands for itself and I think we'll just go ahead and let it be debated. Any .

>> Discussion of the amendment. I will clear the queue of Griswold and Briggs, unless it's on the amendment.

>> Yes, when I originally drafted this, it was -- and I used the word "supplemental" it was supplemental snow shovelling and supplemental resolution in that I know that this topic has a long history and there was work going on and there has been work in the past and estimates of what the cost would be to completely shovel the sidewalks and the problems with doing that. And so after getting some feedback, we decided that we needed to include some additional information and I just wanted to clarify that this is not sort of a standalone resolution in that much work has been done in the past and this simply builds on that work as opposed to replacing anything that has been done in the past.

>> Councilmember Briggs?

>> I appreciate the addition made to the resolution. For my part, they go about halfway in terms of what I would like to say so there maybe -- I would support these and then perhaps ask for a little bit more. The piece I have questions around on the addition of the new resolve clause that says as well as citywide snow removal and partnership with SnowBuddy. SnowBuddy is a nonprofit community funded to do snow removal and I think moving forward that model we've seen in the first sisterhood lakes association. They tried to replicate that model and it hasn't been successful and so it's not that I don't want to work in partnership with snow buddy. They learned a lot that I do want to see.

If we look at cost and feasibility we may need to look at city -- for comprehensive snow removal on our sidewalks. We may need to look at models of the city doing this or other types of models as well. I would -- and also I don't see an inclusion in the second resolve clause that has us looking at the cost and feasibility of comprehensive snow removal on our sidewalks which I think if we're starting to explore winter sidewalk maintenance and going down this route, that that's really the only study that I'm particularly interested in seeing. I also have some concerns about even asking staff to be look at moving snow and ice on driveway aprons because we heard that that's really not particularly feasible and I don't think -- there's a point in the city exploring that but -- others may think that there is. Those are my thoughts on this potential amendment.

>> Thank you, mayor, yeah, I don't have a problem with the whereas clause. You know, snow buddy's been doing a terrific job and has for many years. There's one program that many in the community point to as an example of what we should be doing throughout the city and as my colleague, Councilmember Briggs has just stated, it's a nonprofit volunteer driven organization that is extremely unique and most recently in our ward, of sister lakes association tried to do the same thing and

raise money and they fell way short of their initial goals of raising money. And that's where I have a problem with the first resolve clause is that we're asking to partnership with SnowBuddy and I don't really know, you know -- I haven't heard a formal statement from them. And we're calling upon them and I'm uncomfortable in doing that unilaterally. I'd like to see a bilateral relationship in calling them out in the resolve clause and having a better understanding of where they're at. But I don't think that's a policy I can support without having formal conversations to begin with. And I'll -- with all do respect I'll be providing an amendment to DC-3 that limits the scope and removes the driveway aprons but I will speak to that later.

>> Mr. Crawford.

>> To the amendment.

>> Yes.

>> I will move this to another member.

>> The issue with SnowBuddy, I'd have to explore it more. Having not had any conversations with SnowBuddy to even know that they could ramp up and support an operation citywide. It is a major task and we'd have to have ta -- that discussion and they have to meet the responsible contractor policies.

>> Councilmember Eyer.

>> Thank you. I have had conversations with the folks at SnowBuddy. And my understanding is they are forthcoming conversations with Mr. Crawford as well. That just haven't happened yet on the calendar. They do have a report forthcoming that will have as I mentioned in the resolve clause, new and creative ideas that we can be looking at to do citywide sidewalk snow removal. I -- the reason I limited it to this is because to me, that the most feasible potential sort of possibility that we have out there right now. And I don't want city staff to be, you know, spending a lot of time researching everything under the sun. When we have an organization here that has been work with us. I think this resolve clause, you know, talks about exploring it, doesn't commit us to anything but I think it explores the idea of exploring that potential partnership to see if it's something that would be feasible for the city.

>> Councilmember Griswold.

>> Yes. This resolution is just asking the city administrator to construct a feasibility study. Some of which has already been done. And with respect to driveway aprons, I'm willing to remove that statement. I do have some concerns because in areas without sidewalks, it's the driveway apron that a pedestrian would use to get to the street or the bike lane to get off their property to go wherever they're going. So -- and I'm also somewhat concerned about the antimotorized vehicle sentiment in this community given that many people with handicaps, elderly, which it's a growing population, essential workers who may have to show up at 5-6 a.m. in the morning, they're equally value and I believe realize that driveway aprons, the clearing is not -- it's cost prohibited, let's put it that way. But I think that in areas where there aren't sidewalks, we should still consider that. And I don't know what that percentage would be. But I would like to consider that. I don't want to go into great detail given that it's 11 p.m.

>> Councilmember Briggs. What I'm hearing just by way of -- I'm hearing a lot of -- it strikes me that a resolution of this nature would benefit from referral to the transportation committee. To work out some of these issues and we let them tell us their thoughts.

>> That was my intent and also to the disability commission and the environmental commission.

>> Does transportation have a -- I think it -- does transportation have a disability

member on it as I recollect.

>> Yes.

>> Thank you. So I guess it strikes me that transportation is a reasonable place for it if someone want to make that recommended referral, councilmembers would be able to communicate to the transportation or Councilmember Griswold. You still have the floor are you making that move?

>> I will move to it the disability commission and transportation.

>> Second?

>> Can I get clarification on where we are on this? Is this as amended and is it limited to the SnowBuddy concept?

>> I -- the amendment has not been included. I think the procedure is that the unamended version is going, I think you are hearing reference to -- you're hearing reference to SnowBuddy. I guess I would look to the transportation commission and I'm delighted to have it sent to the disability commission. That they look at the body of the resolution. Understand that SnowBuddy is a valued member of the community that has had success in one area and a stumble in another as an option for further engagement.

>> Do you have another comment.

>> I need some clarification about what's getting sent to transportation commission because I want to make sure that we are looking at -- it's -- it would be my desire that the transportation commission is looking at this, that we're looking at it very broadly. Around citywide sidewalk snow removal. I also just want to --

>> To answer --

>> Sorry. I also want to clarify, I think one of my statements earlier got misinterpreted when I was talking about the first sister lake experiment, that was outside of SnowBuddy. That was a neighborhood -- to my understanding that was a neighborhood organizing it and -- trying to replicate the SnowBuddy model and I've had pretty extensive conversations with SnowBuddy. I don't believe they have an interest in ramping up and doing citywide snow removal. I think they're interested in seeing this move forward for our community. Those were my last conversations with them. I just want to get some clarification about what transportation commission is looking at.

>> Like what we actually referred is the resolution as originally introduced. What the transportation and disability commission do with that is entirely through their purview. I would take this resolution, consider it as the initiation of a thought experiment as to what and how we could address this issue and then have the various commissions come back to us with their thoughts and advice on broadly speaking, snow and pedestrian safety. Councilmember Ramlawi, Nelson and Hayner on referral.

>> I don't support sending current form to transportation commission. I feel this is a council policy issue that should be taken at this table nothing precludes the transportation commission into looking at these matters and bringing recommendations to council. They can go and do that work without us sending this resolution that's got a few issues to it. And quite frankly, without being a spoiler, almost no chance of launching the way it is. I feel that it's too broad. We should be focusing more on -- a more manageable goal. And we can do that here, discuss it here. And I really feel that we should be focusing on the DDA district. That's where all the crashes and injuries of pedestrians -- the high concentration of them are. The cost would be much more manageable. But to do citywide snow removal comprehensive, I'm not sure if you look at the budget numbers, but they're not looking good and I just don't want to give anyone false hope or waste our time on an

activity that has a snowball's chance in hell of succeeding. Let's try to narrow our focus and actually accomplish something with this conversation otherwise we're not going to get anything done anywhere because it's just, frankly, unattainable. It's like us trying to colonize Mars. It's not going to happen right now.

>> I cut you off, sorry.

>> I know this is on the referral but I would like to bring forward an amendment to this resolution if at all possible at some point but if not, I understand.

>> Thank you, Councilmember Nelson.

>> I just want to express appreciation for Councilmember Ramlawi's honesty here. I don't have a problem with the referral here because I sit on the disability commission and we were talking about this. There's some truth about the importance of the driveway aprons for people who have disabilities or elderly or in -- you know, this is just a complicated issue. We are talking about this issue already at the commission on disabilities issues. I don't have a problem with the referral -- I initially raised my hand because there needs to be a little bit extra clarification in this conversation. All the conversation that is happening around SnowBuddy. SnowBuddy was a model noticed as successful. As long as I got on council I was talking about SnowBuddy and how impossible it was to replicate in other parts of the city. There are unique aspect to that part of the neighborhood and the population of that neighborhood. There are just -- the idea of SnowBuddy being a partner with the city is that this is -- that's not what SnowBuddy is. And so I guess I feel for our current city administrator in having to revisit a topic that's already been -- that's already sort of been explored and as much as we can all look to SnowBuddy and admire the success there. This is not -- anyway, I feel this needs to be clarified for people who might be listening to this and not totally understand that SnowBuddy is a neighborhood association of volunteers that have come together and -- or -- this is not how the city does things. Yeah. So as far as the referral, I -- we -- commission on disability issues is already talking about this. If transportation want to weigh in, I tend to agree with Councilmember Ramlawi that this is a question of dollars, of budget. There's information we need to get from our city staff and Mr. Crawford about how realistic this is and what it would take. I don't know the value of having a lot of broad conversations among the transportation commission about how wonderful this would be to have because of the likelihood or not likelihood of it actually happening. In maybe the ideal way that we hope it could.

>> Councilmember Hayner and Eyer on the referral.

>> I think it's fine to refer this to transportation commission. I think that's where it belongs. But what I will do is try to temper the public's transportation that we have 300 miles of sidewalks here in the city and how fast do those things go? Ten miles an hour? Ten people doing it at ten miles an hour? And we took a look at this a couple years' back. Even if we look at the SnowBuddy's model, the equipment is a headache for those folks. You have people who have them in their garage. This is a challenging project. Let's let transportation commission look at this and decide if this is considerate of the cost that I suspect will come with it. With that recommendation and I believe that those costs are going to be extraordinarily high and I think we may find better ways to achieve our goals of creating safe sidewalks in the winter. Thank you.

>> Councilmember Eyer.

>> I need to clarify, because I think something's getting lost in translation, I've said a couple of times, that I've had recent conversations with SnowBuddy within the last couple of weeks. They have some new ideas. When I say in partnership with

SnowBuddy I think that means we should be talking to them as we explore this and getting their counsel and listening to the ideas that they have because they have been operating, you know, in this space successful and looking at models for how the city can do it citywide so I just wanted to clarify that because it seems some folks are confused. Thank you.

>> Councilmember Griswold.

>> I would like to suggest an alternative to the referral and that is to postpone it for two weeks because given all the interest in this topic, I think that it may be to council's advantage that we refine the resolution before we refer it anywhere and I just want to remind councilmembers that it's not just an all or nothing. My initial intent is is there something that we can do incrementally that will have low cost and a significant improvement on pedestrian safety such as looking at the snow that the plows leave at the bottom of the crosswalk ramps. So may I move to postpone?

>> I guess a motion to -- I this a motion to postpone is always in order.

>> Yes, it is in order.

>> Thank you. So -- can I suggest that this -- since it sounds like there's going to be a fair bit of work done on this, that a motion to postpone at an indefinite date and we can bring it back when folks think it's right as opposed to a cycle of bringing it back and bringing it back and bringing it back? Is that acceptable councilmember? Postpone to an indefinite date.

>> Yes, it is. I'm somewhat disturbed by your lack of confidence in your two fellow colleagues but we will seek to exceed expectations. I merely look backwards with old experience. Seconded by? Councilmember Hayner. Let's perhaps keep this short. It's 11:10.

>> Thank you. You know, I not in favor to postponement of an indefinite date. It's winter time, it's on everybody's mind. This whole policy issue is behind schedule. So I would rather see it postponed to a date certain. That's all.

>> Councilmember Briggs.

>> Personally I would rather see it get referred to committee. I heard a lot of different things we can take these back to committee and start to refine it. We bring it back and have enough half hour to spend around this one. I think we can take this to transportation and we know every single idea doesn't move forward with you I don't see the need to --

>> For my part I would encourage the commissions as they see fit to engage the issues as it comes to them. This is not a -- this is well within their area of conversation if they wish to talk about it, by all means, welcome. Further discussion of postponement? Roll call vote, please starting with Councilmember Eyer.

>> Councilmember Eyer.

>> Yes.

>> Councilmember Nelson.

>> Yes.

>> Councilmember Briggs?

>> No.

>> Councilmember Hayner?

>> Yes.

>> Councilmember Disch.

>> No.

>> Councilmember Griswold.

>> Yes.

>> Councilmember Song?

>> No.

>> Councilmember Grand?

>> No.

>> Mayor Taylor?

>> Yes.

>> Motion carries.

>> DC-4. Resolution in support of an equitable community engagement policy.
Moved by Councilmember Griswold.

>> I guess my intent in -- I -- there are a number of activities going on right now within the commissions and within staff and in talking to our city administrator, I think staff has made significant progress in the area and has a work product that's close to being completed. But I felt it was important that we had the discussion at the council because council's responsible for policy and so I thought we almost needed to play a game of catchup because so much was going on and it was important that we attempt to speak with one voice through a resolution. So that's why I prepared this and it's quite general. And Councilmember Eyer, do you have any amendments to this? Nope? Okay.

>> Councilmember Ramlawi.

>> Yeah. I just -- this is kind of an odd one for me. I don't know too much about this particular resolution and what it's trying to solve. What problem. Obviously equity is an issue but it is in every facet of life. And, you know, the second whereas clause where it says whenever possible the city shall engage individuals to speak for themselves and not rely on academic studies. I get most of that but to not rely on academic studies as a policymaking board is -- to me, I can't subscribe to that. I do believe it's important what we're doing and we're in the shadows of one of the best public universities in the world and so -- and then, whether -- and this is a question for Mr. Crawford perhaps, whether March 1st gives enough time for this and how this, you know -- the synergy with this, if anything's being done with the county, again, I'm not on those commissions and committees that work on that and I understand a lot of that's with employment. This is more about community engagement. But whether there's things being done at the county level that we can learn from.

>> M-hm.

>> Mayor, may I?

>> Please.

>> I think the timing that we have here does work. Staff has a task force led by Heather Safer who is developing a plan to go out in the community and we really need to talk about what equity means, what aspects, earlier in the meeting, someone referenced equity from the perspective of the nearby resources, right? But equity's viewed in many different ways and we have need to have that conversation with the committee to understand what kind of equity they want and when we do that we want to build relationships and the knowledge and infrastructure to say, oh, well, if that's -- equity how would you like to hear about that? As we reach out in the community, we need to build the capacity, get that feedback, so this is really something that I think we view, we need to do as a city organization. Where we can leverage the county we would but this is actually community building and equity building within our own department and one of the outcomes that we would have from this as we continue to work forward is what we call an equity lens so once we know how we want to define equity, how we can actually effectively engage the residents, in that area, then we can start developing a tool that allows us to run our

policies through them and some of our practices through to see how we're doing and achieving it. So this is part of a -- kind of a multistep process that we're looking at going with. But to do it right, we really need to spend the time talking with people. By March 1, we will have communicated, you know, developed that plan, now that plan in order to get to a policy or direction will be some time, but we really right now, over the next month, roughly will be sorting through how we're going to do it.

>> Councilmember Hayner.

>> Thanks, Mr. Mayor, who could be against directing more consideration of applying equity in our policies? I appreciate the question that Councilmember Briggs asked which is essentially what Councilmember Ramlawi asks which is relying on academic studies. It could be an impact. That puts me in a situation where I either want to modify this or say no to it because if you carry on and read the rest of the answers, the exhaustive responses that staff gave us to what they're working on already, it's an incredible amount of work is being done here in the city already and of course we have a new hire, an HR person who has -- appears to have excellent experience in this area also and so I -- you know, I don't want to be on the situation where someone's going to say he voted against equity but I'm not sure what this is adding to our work at this point and so I don't want to create a policy situation here where we have the potential to detract from the good work that staff's already been doing so I am just sort of on the fence on this one. I don't understand in what way it's going to benefit the work that's already going on so I -- that's where I'm at. I don't want to do harm to all this work and when you read through the action plans and the community engagement toolkit and the changes that are being made to that and so on it really seems that we're moving in the right direction. So that's just kind of where I am at. I don't understand necessarily the need to reiterate this focus.

>> Councilmember Song.

>> I was excited to see this resolution come forward. I had e-mailed council an example of this work and their blueprint and how comprehensive that is and then also included some work from the government alliance on race and equity. I was really look for a stronger resolution with stronger language that speaks specifically to what I see equitable community engagement being which is better programmatic outcomes for everyone, lasting relationships and partnerships, dismantling barriers to participation, increase accessibility. But more specifically and I think what's kind of missing from this resolution is any mention of injustice. And why there needs to be a need for equitable community engagement when we look at injustice, historical injustice, in our community, and, you know, I mean, that effects all of our work, right? In policing, environmental justice, transportation, and I know staff is working on this and I was really heartened to see our friends work in our cities like Durham, Seattle, Portland, but I am hopeful that we can also look more closely to as other members had mentioned the county's work on race and equity. I'm on the action board for the county and I know, commissioner Justin Hutch is looking to work on this and Theresa is working on a dashboard of reporting out more community engagement and what that looks like especially as I roll out additional care funding on housing issues but I guess programmatically I'm just looking for things like Grand Rapids, they have an office on engagement and it speaks to analyzing budget items for disparities, right? So -- I've sent our clerk a proposal to add an amendment for resolve clause. Maybe that will hopefully capture this interest. Saying that we resolve that the equitable community engagement policies looks at the biases and injustices and I hope that will empower staff and I hope it empowers us that we individually have these discussions with our own wards and communities. I don't

know what means procedurally if I can just -- I know I had sent that to Jackie.

>> That's all right. Based on the verbal, is there a second? Seconded by Councilmember Radina. Is that friendly to the body?

>> If I could see it first. I mean --

>> Ms. Beaudry?

>> I just sent it.

>> Thank you.

>> That's fine.

>> Is that friendly to the body?

>> Friendly.

>> Councilmember Song. I think you -- you would have the floor but you're hitting at three minutes. You want to cycle back, you can on the flip side. Councilmember Griswold.

>> I also had a resolution prepared. It's just one sentence but address what Councilmember Ramlawi referred to. It's the second whereas clause and replaces the academic studies and stereotypical generalizations with the words -- so it would read and will not rely solely on sociological and demographic studies. And the purpose for this is that we actually talk to the people and I think in general, we're doing that, and I believe that is consistent with staff's approach. I also want to remind council that this is not asking staff to develop a policy yet. This is simply asking staff to develop a plan for a policy. And that was added at Mr. Crawford's request. So I think that we need to have a robust conversation and work with staff to get to a lot of the features that have been discussed tonight and I see this resolution as just the first step in moving forward and I know something that Councilmember Song has mentioned before is the silos in the organization. I believe you had mentioned that. And so once again, I see tremendous work being done but in silos and without a policy from council and so this is one way to pull that together and just by discussing it tonight and having it on the agenda, it provided some notice to the community that we were discussing this and allowed people to weigh in.

>> Is there a second to that amendment? Seconded by Councilmember Eyer. Is that friendly to the body? The amendment's friendly. Councilmember Eyer, you have --

>> Thank you. Well, I initially put up my hand because I wanted to remind Councilmember Griswold of that amendment.

>> Okay.

>> Because people were getting, you know -- thinking something was there that clearly seemed to be there but that wasn't intended. But I also want to say that I appreciate Councilmember Song's comments about what other cities are doing and reading off some of those things. To me, I hope that's something that, you know, that those elements will eventually make their way into the policy that our city staff comes up with and given work that they've been doing so far on this front, in, you know, different pieces and different departments and different ways, I fully expect that they will.

>> Councilmember Briggs.

>> So I appreciate the place that this is being brought from and the goals that are trying to be held in this. But I agree with the comments mentioned earlier. I -- I think -- especially kind of looking at the responses that we got from staff. I think we -- maybe this -- it's a fairly good lesson that this would have been -- I think we would have ended up with a stronger end result in terms of thinking about what sort

of action plan we need to ask for next if we had done this more in collaboration with staff.

What we're hearing our city administrator say is -- I think we're actually doing a lot of this work and we might want to approach this a little bit differently and I don't hear us listening to that feedback here in this discussion. You know, we do need to start with that bigger conversation of what equity means. I have gotten feedback from folks in the community and it's important to have that conversation first.

That is going to need into everything else. I know there were questions that came up at the council caucus last night about what does the term disadvantage mean and I think we can have serious debates around the table around what does this mean to us? I think -- I don't know that this is providing very clear direction to staff about what we're looking for because we haven't had that basic conversation first. We don't have any agreement. We don't really have our equity lens that we're looking through yet and we need to do that work. We should have that but staff is working really hard and has built a strong framework for us. And I would like to develop, not just ask that they do some work for us so that we can get a plan by March 1st. They got a lot on their plate. Let's make sure, if we're putting them to work to do something for us that we're really doing that in a meaningful way to move this important conversation forward. So I think that the -- you know, Councilmember Song brought forward strengthens that but I still had some concerns around this resolution as it is. I think we can work more collaboratively with staff to build policy around what we're looking for.

>> Councilmember Ramlawi.

>> Thank you, I appreciate the words that Councilmember Briggs has on this resolution. You know, I am not sure if this does anything more than has been done already. It just seems -- it comes off to those that are cynical about government officials that these are just platitudes being stated. What actionable policy differences are we making? And we could pass this tonight but I don't know if it goes far enough and is meaningful enough to really be a game changer. Essentially. I won't want to oppose it. It seems innocuous in many ways but -- based on the response we got with questions and such, a lot of this work is already being done and I guess Councilmember Briggs has said perhaps more engagement and understanding from staff as to what they need from us to -- in order to address what they see in this case. I just know we are increasingly a more wealthy community, more tech savvy, and becoming increasingly more inequitable because of that. The people with the most education and resources are often the most influential in policymaking but I know it's getting late and there's four hands up. I will finish it up at that. Thank you.

>> Councilmember Griswold.

>> I just want to remind my colleagues that this, again, is a plan for a policy. And it is what staff ask for in terms of that language and it was, in my opinion, a somewhat collaborative exercise and there was communication going on. I had sent some information to Mr. Crawford previously about what's considered sort of best practice in this area and that's what start this had discussion. So what I'm hearing is some people want more specific information. Others want less. But I guess I'd like to hear from Mr. Crawford, is this resolution as amended enough what you need given staff is completing this work and just sort of formalizes this request.

>> I will just say, having heard you all speak about this and getting some of your views, that's help to feel staff and every part of government, every profession is moving down this route. I don't know if -- I don't want you to think of your local

government as one that is not in motion unless you push it. Right? I mean, we actually do have some of these motions and I think that if you would like us to come back with some of the product that we have at another date, we would be doing that anyway probably because of the importance of this topic. You're welcome to pass resolution. I don't think we need it in order to move forward to be perfectly honest. I think we've got a lot going on and we are going to move this along with everything else and we'd be happy to bring you the things that we're coming up with along the way. If you'd like to do it through resolution, that is also fine.

>> Councilmember Radina.

>> Thank you and I'll try to be brief because I know that we've gone on for awhile here. I want to thank Councilmember Song and some of my other colleagues for bringing up my own hesitation around this and I agree, I think we all support the idea of creating a more equitable engagement policy. When I read this, my official thought, similar to Councilmember Song's was maybe it didn't go far enough and achieving some of the pieces that we hope to achieve and what I don't want to see happen is for us to pass something and feel good about passing something that has the word "equity" in it without going as far as I can go. I know that's not the intentions of the sponsors either. I think one piece we may also be missing here and, forgive me this process may be playing out already. Even in this conversation, I would say we're not being super equitable in the engagement process and making sure that we have a diverse spectrum of voices from the voices of the community weighing in on what that process should look like and I think I want to make sure that while we as a group --

While I think there are members that are here of marginalized communities we represent a relatively privileged group in the community and I would like to engage and see staff engaged and with a more diverse group.

Similarly, I feel I don't know what to do here. I don't want to vote against the concept but this doesn't go as far as I would like it either. I hope that kind of -- thanks.

>> Councilmember Grand.

>> I would hope, given that I think we don't -- we maybe just withdraw this resolution and as staff has reports on where the process is going give that to us and then I think this would be a great topic and maybe not for traditional work session in the sense of how we've done them in the past, but I think this would be an opportunity given the interest that I'm hearing, I think across the spectrum of this buyer -- entire group to work collaboratively on staff and people in the community and I don't know what that looks like with COVID and da da da. But I do think it presents -- I -- and this is something on admin I do want to talk about. Sort of reimagining how we do some of our work sessions, at least those not related to the budget and having them maybe actually have it -- have a stronger community engagement process for example in our work session about community engagement. I think just -- I think it's poor -- important to have consensus on this and getting a report back.

As there's a product and focusing on how we can develop something to work on this in the future could maybe make more sense process-wise.

>> Council member song.

>> I wanted to craft five whereas clauses. Other communities took 18 months to work on this approach. This can be something when we speak to it we can actually put the burden on ourselves when we ourselves can do antbias on bias training for ourselves. There's much potential on an item like this. Is there a way to move this to admin committee and work on strengthening the language there?

>> You can move to refer to admin.

>> I mean the rationale being this would affect all commissions. So transportation --
>> It's sort of a way of doing business. It stands to reason. Are you making that motion, counselor?

>> No. Yes. I would like to make a motion to move this to admin committee. Please.

>> Excellent. Second? Councilmember Eyer. Discussion of the referral?
Councilmember Griswold.

>> I will support the referral. I just want to remind my colleagues, again, that this is a resolution for staff to plan -- develop a plan for developing a policy. So a lot of the details that we're looking for, some of us have that knowledge because we're social workers, we have some expertise in that area. But in general, we would look to staff to fill in that technical information and be sharing that with council. So I think that this is a good first move and I will support moving it to the admin committee. I just think that if we have some detailed information, it's best to share that with staff and let staff incorporate that into their plan. Thanks.

>> Councilmember Ramlawi.

>> I definitely think I'd be referring it to the professionals who are involved with this and who are experts and who know where the deficiencies lie. And I -- some of those experts are on staff and perhaps we'd have to hire out to get some consultants in to better explain it but it won't get done I don't think -- it'd be a wet towel real quick in and turned around by the admin committee. We got things to do already. And so it would be referred to us but I don't -- in this resolution had March 1st as a deadline. I just don't think you'll see something back by March 1st.

>> Councilmember Disch.

>> Yeah. I've been hesitating because it's late but I just want to read from the responses we got back on our questions that we raised about this issue. The staff and the office of sustainability innovation system planning and human resources are planning to have an initiative that includes a steering committee to help inform the city's initiatives. The initiative will include extensive engagement with the community. Especially minorities and underrepresented populations to better understand what people are currently experiencing to be more inclusive and effective. This is just paragraph among several that a firm, that our staff is engaged right now in planning a community engagement process to define what an equity and engagement policy might look like. It sounds like the focus of this policy is a little bit narrower than what others have been talking about in that's a focus on how to get -- how to make our feedback and participation processes more representative and more equitable. What I felt like I read in the answers to our questions was already a plan for developing a policy and so I don't want really see why we need to spend 45 minutes of this meeting talking about how to help our staff do this when they are actually miles ahead of us on this highway by my estimation. Not to cast dispersions on us because I think we're all wonderful but our staff is already in the lead on this. So what I would love to see is what Councilmember Grand suggested which is a work session that's differently structured where we actually talk about this but I think we're spinning our wheels a little bit right now trying to define what would be the best resolution to make this happen, this thing that's already happening.

>> Further discussion to the referral. I'm going to -- for my part I'm going to support the referral and we'll see, you know, how admin engages it. I think understanding of course as Councilmember Disch identified all the good work that staff is doing in this regard, we'll see what's necessary through admin. Councilmember Griswold.

>> I will support the referral and I think committee will do what the councilmembers are looking for in terms of a work session.

The only point I want to make is while the office of sustainability is very advanced in this process, there are other departments that are not at that same level and that's why it's good to have an organization-wide policy and then procedures and so we need to bring everyone along.

>> No discussion? Roll call vote on the referral?

>> Councilmember Eyer?

>> Yes.

>> Councilmember Nelson?

>> Yes.

>> Councilmember Briggs.

>> Yes.

>> Councilmember Ramlawi.

>> Yes.

>> Councilmember Hayner.

>> Yes.

>> Councilmember Disch.

>> Yes.

>> Councilmember Griswold.

>> Yes.

>> Councilmember Song.

>> Yes.

>> Councilmember Radina.

>> Yes.

>> Motion carries.

>> DC-5. Discussion, please, of DC-5. Resolution to approve amendment to the council rules. Councilmember Ramlawi.

>> Thank you to my councilmembers who worked on this in two separate meetings.

As you know I objected to the minutes in the prior meeting because of some disagreements if we agreed to parts of the rules that had changed. We did meet and discuss them and we got agreement all the way to the point to where it -- deals with personal privilege and character attacks. And that is the part I still had disagreement over. I feel that much of that if not all can be handled already with council rule twelve in council's self governance. I think it has a pretty extensive remedy prescribed to deal with issues called out in this proposed rule change. I have such a problem with this rule change that I didn't vote for this entire package. In fact, I e-mailed the clerk earlier -- before the meeting to ask to be withdrawn as a sponsor. There were many good changes that were made but that one I felt has gone too far. Even our attorney has told us this would be challenged in court. And whether this is narrowly tailored to achieve significant government interest and in my opinion I don't think it is. I think it's tailored to do something else unfortunately.

And something to be done to the detriment of democracy if found to be abused. I make a motion to amend this rule to take out the paragraph highlighted under personal privilege and character attacks. I feel it is, again, unnecessary and borders on being unconstitutional and -- when it comes to first amendment rights.

>> Discussion of the amendment?

>> Um --

>> Councilmember Eyer.

>> Thank you, the first thing I want to clarify is what our city attorney did and did not

tell us I do not believe he gave us the advice that this question of -- this notion of a councilmember being allowed to speak for two minutes in regards to a personal attack would be somehow a violation of the constitution. Is that correct Mr. Postema.

>> Mr. Postema, you are on mute.

>> Let me step back a minute. I think it's easier to answer it this way. The personal privilege is in Robert's Rules of Order. What that means is because you don't have -- any contrary rule to that in your council rules, that the issue of personal privilege is simply a method by which -- if the chair -- if a point of personal privilege is raised that the chair can recognize it and allow some additional time. Now, the council rule, Robert's Rules doesn't go into what type of time there would be and so on

So you already have that, you have personal privilege. This is defining it a little bit more. I think what Councilmember Ramlawi is referring to is certainly there's an overall concern about, you know, whether, a personal attack can be completely prohibited. And that issue is -- I think is raised in another portion of this but the personal privilege is actually an opportunity for somebody who claims to be personal attacked to actually give a little defense. So in that sense it is a safety valve to address something immediately. Councilmember Ramlawi is correct that there are other ways to do it in rule twelve but this allows for immediate address of those issues. So it's -- in that sense, a timing issue and that's a policy issue for you all.

>> Thank you. And I just want to -- I guess I'll just finish my comments by saying the purpose of this is so that in the moment a councilmember is allowed to address a personal attack without having to wait until their turn comes around in the queue and without having to use their time to -- their floor time to speak on the actual motion on the floor. They don't have to waste their time speaking to the issue defending themselves instead. So that's the purpose of it as Mr. Postema mentioned. This is already in Robert's Rules. We can use it right now if we wanted to. It's already will. It's already essentially a part of our rules. What this does is give a timeline to it. It's a two minute, you know, two minutes that you can hold the floor for your defense against a personal attack.

>> Councilmember Nelson.

>> Thank you. I appreciate Councilmember Ramlawi bringing this up and my concerns about it are different than his but the fact that this exists -- my challenge with it quite honestly is just the vagaries of it in the level of discretion in terms of deciding how someone interprets whether or not they've been attacked and I will leave it at that. I know that things have gotten heated at this table and I've been on different ends of it. But I -- the fact that there is so much discretion in terms on deciding someone's posture, I have been attacked is valid or not and it's all about adding it time and making it easier for just more minutes to be wasted on grievances and just -- I don't even -- it seems wildly inconsistent with the stated goals of the rules. And -- so this is the only part of the rules that seem to me wildly inconsistent with what the aim is. And the fact that we are striving to cut down minutes on substantive discussion and yet we need to make space for this is just strange to me. And so I am hopeful about amending it to remove this part of it because it strikes me as silly.

>> Councilmember Hayner. I'm going to support this motion to amend it by striking these paragraphs. Two reasons, one is that, again, as was stated, the definitions are nebulous here and that's on the privilege of the office and I suppose that's where its longs but even the language of it is extraordinarily vague if a member's integrity is characterized. Well, if I say Mr. Ramlawi's honest and beyond reproach. Have I

violated this rule? No, only if he come plains about this. -- I'm going to support this amendment to strike this. I don't think it's necessary. I don't think it's necessary in a good faith effort to all -- model types of behaviors and these rules, changes, seek to improve. Thank you.

>> Councilmember Briggs.

>> Thank you. I would like to start by saying thanks to my colleagues for spending a lot of time and trying to bring forward a set of amendments that might address some observed issues around our table. I will say I'm a little bit worried about well about the personal privilege and what this section may result in however, I think that it is -- it's an attempt to solve some issues that we're facing and we have the ability as a body to say is it working and not working and reevaluate and that's a good way to move forward. My concerns are similar to Councilmember Nelson's and are we going to add extra time and I am a little worried that it may provide an opportunity to insert greater discord into the body as we start arguing about were we imputing others characters on this issue. It's a good step to see if this is going to work. We obviously have some work to do as a body and this is a tangible step forward. There's a couple other thing to bring up. The only one thing I would ask that we change is on the bottom of page two, the agenda for council special sessions will be prepared in accordance following business. Public commentary is after closed session. From a public perspective it might be nicer to have that come first because often our closed sessions -- it's unclear how long they're going to go and people are waiting around with a blank screen in front of them. That's the only thing I would suggest. And obviously we're not coming close to the 11 o'clock schedule this evening. Hopefully the rules will get us closer to that but just point of reference of another Q and D my father used to be a political reporter in Burlington, Vermont and was reporting on the rules in there and it takes a supermajority vote to extend past 11 o'clock. While I think it's nice to suggest being done at 11:00 I would like to put in stronger provisions in the future.

>> Councilmember Grand on the amendment.

>> Thank you to the -- you know to both members, Councilmember Griswold and Eyer for doing this work. Having sat at the table we discussed this in admin. I believe the point of this is not to use it frequently, and to actually keep us from going down a rabbit hole where we're defending one another, where we're stepping in where it really just gives the person on that hopefully very rare occasion the opportunity if they have been clearly attacked, to step in, so that we can get right back to the business at what we're doing and focus on discussing why you support something or you don't and move on. So that -- the intent was to take the intention off the rancor and put it, you have it, you speak for two minutes, you're done, okay, move on and then to the next thing. I am -- and I did want to point out that this is the first go at this. We can make changes and we'll also bring forward other changes I'm excited about that it makes us focus on our own behavior first.

>> Councilmember Radina.

>> Thank you. I actually -- I have a question for clarity on what the amendment is. Because I tend to agree actually with Councilmember Nelson that I worry about the potential for this to add additional time and while appreciate kind of the intention behind it I actually prefer that we spend less time addressing some of the negativity and rancor in this body and keep it to -- if something like that happens, having an avenue for it to be dealt with in admin but I guess my question is whether or not Councilmember Ramlawi's amendment was to strike both paragraphs or just the personal attack section.

>> It was just the top paragraph. The first of the two. Leaving the grievances portion.

>> Okay. Thank you. I will say, I am inclined to support the resolution, the amendment, simply because I think we should be spending less time bickering with one another and I worry about the possibility that this opens the door to that. I understand the motive behind it but I would like to see us spend less time fighting with one another at this table. Thanks.

>> Councilmember Eyer.

>> Thank you. Yeah. Just for those worried about this adding time to the agenda, it's the opposite. We could do this. Whether or not we include this, we could do it anyway. It's already part of our rules. Anyone could do it at any time I could do it right now if I felt attacked. What this does is give it a two minute time limit so whereas if we don't include this portion then somebody could use this and talk for an unlimited amount of time. And you know, because I don't think Robert's Rules specifies the amount of time that someone could speak from the point of personal privilege.

>> It doesn't have a time in it. And what's curious, Mr. Frost is an expert. I had him look at it today. I don't know that he has found a time and I don't know if Robert's Rules has an omnibus provision or anything like that that would repute a time. Just not sure how the operation goes without it.

>> My understanding is that there is no time limit. So if we wanted to have a time limit to this -- and two minutes seems appropriate. I think we all agree that we don't want to have to use this. We want less of that. But, you know, the fact that it does happen from time to time and people sometimes do feel it's necessary to correct something in the moment rather than letting it pass and addressing it privately. It depends on how egregious the attack is. But, again, this is not something that would be adding time. It would actually be potentially limiting time.

>> For my part I will be voting against this amendment. I concur that it seems to limit the amount of time in meetings and further I'd say it's not particularly complicated to have this not be a problem and that is we all simply avoid speaking about each other in a way that assails questions or impugns motives. We don't talk about suggestions of improper influence. We don't talk about -- a claim on hypocrisy. We treat each other with decency and respect. We speak about the issue at hand and move forward. It's not complicated. Councilmember Griswold.

>> My intent was to empower the mayor and stop the additional discussions where one person feels like they've been criticized -- criticized and three other people weigh in on it. The person can make a statement, the mayor will listen to that and we move onto the next topic. We don't have three or four more people adding to the discussion so if that doesn't work, and it adds time, then I'd be the first person to come back with proposing an amendment to take it out. But I'd like to try it and I think that having it right there in our rules will empower the mayor and we can move on more quickly.

>> Councilmember Ramlawi.

>> Thank you. I guess we just need to be able to choose our time wisely and how we want to spend it. Do we want to waste it attacking and criticizing each other or do we want to address policy? And I find it, again, unnecessary, I agree with councilwoman Nelson this goes against the stated goals to shorten our meetings. I've never really had a case in my two and a half years on council where someone has done on so long in responding to an attack on their character they went on for three minutes and caused a long delay in the night. It just hasn't happened. This is

a solution that's trying to find a problem to solve and as a person who finds himself in the political minority right now I really fear that this could be weaponized in ways to silence the political minority. And is not necessary and I will like to come back in a minute here about First Amendment rights and how will the presiding officer have all the facts at his disposal or her disposal to be able to make a judgment call on the fly about these issues of integrity and motives? How do you make that decision in the middle of an executive board meeting? Quite frankly, we should just take the advice that the mayor has given is just to ignore them. Don't give more attention to the attacks being leveled against you. Ignore it. If you choose to respond to it and waste your two minutes or three minutes then that's what you can do and go back and talk to your constituents and let them know that's how you're spending time on council I don't know this is necessary and this will be used in ways that was not intended. The main motive behind these rule changes is to tighten up our meetings and this one just allows us to have a forum to increase the bickering and have a soap appear rah.

>> Excuse me. Councilmember Ramlawi. I want to clarify and come back on your First Amendment question and that is because the mayor's not necessarily cutting off somebody, First Amendment usually deals with prohibits speech and so this would be allowing a response and so in your sense that wouldn't be a First Amendment issue but the privilege from one person to another that has certain implication and yes, Robert's Rules of record in that quite a privilege is what gives the authority to a chair. At this point, the mayor, in making a determination as to whether or not someone will get the two minutes. So on that point, I think it is more of a selective issue than the first point because the First Amendment is stopping speech. The concern.

>> Councilmember Nelson.

>> I think it's important we frame this issue in term of how -- it's practical effect rather than in theory. Whether or not anybody has an unlimited opportunity to take a point of privilege and talk for an unlimited amount of time is a reality, that does not happen.

And it hasn't happened. So what we're actually saying by offering this invitation for an extra two minutes is you're creating an incentive for somebody to claim having been attacked so that they have an extra two minutes because they don't count towards the time that they have. Rather than putting someone in the tough position of am I going to put up this grievance up at the table or deal with it outside the meeting. You have an extra two minutes. As a practical matter it is very much about adding minutes to our meetings. That is how it will play out so I just think we need to be clear about that. It doesn't matter if this rule exists and allow somebody to talk for an unlimited amount of time. We will build in two minutes that wouldn't otherwise exist and the idea that three or four people piling onto a discussion around this, again, we're -- if we're going to enforce our time limits this is an opportunity for people to be judicious about how they want to spend those minutes and this is creating the wrong incentives that we want to create with our people and having people wasting time on things not related to agenda items.

>> Yeah, just Mr. Mayor, look at the way this is written and the language that's involved here and you realize that it's a vague and subject to mischaracterizations on all ends and I agree with the folks who think it is completely inappropriate and I am going to support this amendment it's just unnecessary. It's a point of order. I know this is a different thing. But, you know, I don't want to be -- I don't know, it just seems completely inappropriate and as I say, written in a way -- when I saw it was

characterize someone. Well of course the intention is a negative characterization it doesn't say that, does it? So we will have a situation go slapping each other on the back and say how great -- I'd like two minutes to say how great we are.

>> Councilmember Grand and then perhaps we can vote on this.

>> You know, the whole point of the chair, doing this is that if it were positive, the chair wouldn't grant you time to say this person is great. That just doesn't make sense and part of the reason why this was put in here and put in by both Councilmember Griswold and Eyer. Right? This is -- this was recognized by two people working together recognizing a common problem and we're pretending this hasn't happened before. Like I don't know how to defend themselves in a situation. I can say personal I've had -- I've been accused of doing something because -- and falsely because someone gave me money to do it. And, you know, or other kinds of real attacks that you shouldn't have to use your time and we should be able to compartmentalize it, say it, and move on. Because when those attacks happens it gives you a space to speak your peace. It wasn't a solution that is unique to just to our own community. They just didn't pull it out of thin air. They took it from -- they took this language from what other cities do. So think we should give them the benefit of the doubt here in trying to come up with a solution to solve a problem and if it starts getting abused we change the rules. Right? That's easy but hopefully, I'm just -- I'm seeing some people not take responsibility for their own behavior and role in this problem and I think we should just name it and this is sort of the point. You speak it. You're done. You --

>> Councilmember Hayner, I forget whether you've spoken a point.

>> I am taking a point of personal privilege. I found this on on opposite sides as the characterization of the actual stature of equals among this body. There you see the problem.

>> Now, I --

>> It's a personal privilege. You can't call it through someone else.

>> Further discussion of the amendment?

>> Nope.

>> Roll call vote.

>> Councilmember Eyer?

>> No.

>> Councilmember Nelson?

>> Yes.

>> Councilmember Briggs?

>> No.

>> Councilmember Ramlawi.

>> Yes.

>> Councilmember Hayner?

>> Yes.

>> Councilmember Disch.

>> No.

>> Councilmember Griswold.

>> No.

>> Councilmember Song.

>> No.

>> Councilmember Grand.

>> No.

>> Motion fails.

>> Further discussion of the main motion. Perhaps there's been a suggestion with respect to special session ordering. Maybe there'll be an amendment on that point which may be friendly, we'll see. Councilmember Hayner, you have a motion.

>> I would like to move to amend this to strike the second paragraph on page four redress of grievances.

>> Is there a second?

>> Seconded by Councilmember Ramlawi. Councilmember Hayner you still have the floor.

>> Thanks, Mr. Mayor, I find the notion that we're going to drag in another public venue into this meeting completely inappropriate. I don't think the body has an authority. It's not clear how it will be exercised if it did try to assume that authority and I believe that it could have, you know, extreme potential for abuse or you may have a situation where, you know, we're all perfectly without any kind of fault. Then you have other people doing your dirty work for you. It seems completely inappropriate for this body to try and limit or describe a member's speech in another public venue. That's why I'm moving to strike this.

>> Councilmember Eyer.

>> Thank you. I think there's a misunderstanding about what this one does so let me clarify, this is, if there is another -- if there is a personal attack basically, leveled in another public forum, it's not that it's brought into the council meeting. It's that a member who feels they've been impugned, attacked, whatever, in another venue, in say, social media, they could bring it to the admin committee and it would go through the normal process that the admin committee goes through when they deal with, you know, issues of, you know, violations of the council rules. So it doesn't come to the meeting. It just goes to the admin committee.

>> Councilmember Ramlawi.

>> Thank you. I just have a problem with it. I know it's part of the earlier amendment that, unfortunately, failed. You know, I enjoy being in the majority, folks, because it doesn't last forever and, you know, the rights of the minority need to be protected and in all cases. And I feel, you know, there's been arguments made, well, we can make rules and if we have bad unintended consequences, we can come back. Well, I don't subscribe to that. Knowing what I know, I'll say that. The idea of moderating behavior on social media just because you're a public official, what you do on your own time, in your own place in a public sphere. I'm not so sure we have the right to regulate that. I mean, I'll ask Mr. Postema here, how is that possible that we can do that in this case? Actions taken outside of our meetings and then making a post on social media, how we can be somehow reprimanded by this body for it? I find it a little puzzling.

>> Well, on the First Amendment issue, obviously you don't give up First Amendment rights by being a councilmember. They are a little different in some ways than a public coming to speak at the council meeting. So this issue, this is something that I would actually like to cover a little bit more as you know, you're getting into sort of an omnibus First Amendment legal advice at the end of this week or latest on Monday covering mainly public speech at the public commentary. And this is one I'm happy to look at a little bit further.

>> I apologize, we are talking about councilmembers actions on social media being taken into the admin committee. And I'm just asking about that, not about public comment. I'm sorry, our time is limited. How is that even possible?

>> What I was getting at is the issue of the body being able to regulate itself both by the charter or by the -- the charter that gives you the ability to govern rules, and so I

would need to look at that a little bit more clearly but it does give you some ability to regulate yourself as a body. And so the full extent of that, I understand your concern, Councilmember Ramlawi, but it does -- there --

>> Yeah, I'm sorry, I know it's late. I move to strike the phrase or in other public venue. I feel that's overreaching and I feel -- if this continues at a certain point I'm going to have to hire my own attorney --

>> Councilmember --

>> -- get some money for it.

>> We're already talking about an amendment to remove the grievances paragraph in its entirety.

>> Can I make an amendment to the amendment?

>> Is your amendment to the amendment to introduce the balance.

>> My intention wasn't to say it would be brought back before the entire body like this. What I am talking about is my concern is something happens outside of this table, outside of this body is then brought back in through the admin committee.

That is just to clarify what I meant by that. These consequences of chapter twelve are consequences of things that happen at this table, in our discussions. Potentially in other specifically focused council activities. This is a part-time job and so the consequences of things said at this table are dealt with at the table or through the rules of chapter twelve but the consequences of things that happen outside of these official deliberations and actions and time spend in meetings and so on are decided political or in another way. Not for something for rule to chastise us about. We get a W2 but we're not employees of the city. It's a part-time job. We don't follow the rules that staff has. I think it's entirely inappropriate that council tries to limit the behavior outside of the job description. It's just not right. And, you know, I've had folks calling up here and suggesting that. I'm some kind of fascist for saying we could use better news in the city. What do you call this? Combing through social media wondering if you've been impugned? If you're been mischaracterized. It's very unusual and quite a reach and I think it violates that line between a public servant and private citizen. I would encourage us to can it.

>> Councilmember Radina.

>> I'm a little shocked by the suggestion that this is unheard of and not normal. I would not equate this to the despicable actions of a Congresswoman of Georgia. That woman is seeing the consequences of actions taken outside of the House of Representatives that are unbecoming of a member of the House of Representatives. While I recognize this is a part-time job.

At no point to we cease being councilmembers even if we are not conducting council business. And so I am a little shocked by the suggestion that there is this clear difference because there's not. We get elected to this job and whether we're working in council business or not, we are councilmembers and we don't cease being councilmembers because we're not at this table and lost the expectation that we should no longer be held responsible. And so I see this as no different than a censure or removal of committees that happen Kuwait -- quite frankly regularly. And when you see action from councilors. I will oppose this amendment and any other amendment to remove that.

>> Councilmember Grand.

>> I second everything that my most excellent colleague from the third ward just said. You know, we saw this. People's lives were threatened because of things that were said on social media. And actions that were taken outside of the formal means of government. And so, you know, being on council's a voluntary. You don't want

your behavior monitored or -- and you give up some things for the privilege of sitting in this seat and that means that you just don't get to say whatever you want about anyone else without there sometimes being a consequence. You have the free speech right to say it. And then -- we, your colleagues have the right to evaluate what you said and potentially provide some consequences for that and there's a process of going through the admin committee and that makes it clear. And, again, this rule wouldn't be here proposed by councilmembers Griswold and Eyer if they didn't recognize that there was a problem. And so, they're trying to get to it and if it is not working, we can change the rules. But this is one I think we're going to stick with and if you have a problem because you can't control your behavior on social, you know, fix it.

>> Councilmember Briggs.

>> Can I ask for clarification on what the amendment is? Is it to strike the entire grievances --

>> Strike that.

>> I -- don't support that but around the piece of -- or another public venue, I probably would support that. If it was just striking that. And while I agree with everything that my colleagues are trying to get at with this and I see a really serious problem from some members of this body on social media. And sometimes in other ways that they communicate in the public. Primarily because I think -- the actions that people are taking are degrading trust in government and I think that's contrary to the work that we're trying to do. I absolutely think that every single one of us should be conscious that our words speak volumes to this community. On the other hand, I would tend to agree that unless it's something that it gets to this scale of what we've seen, you know, in Congress the stuff we've seen in our community. The stuff leveed against me in the couple months are really concerning. Nevertheless, if folks, amongst this body want to go out there and say that I -- I hope voters will hold them accountable for that and that's the forum that I think is appropriate for that.

>> Councilmember Disch.

>> I want to disagree with your last sentence, Councilmember Briggs because I, too believe the last sentence of this rule change is about the dignity of this body. You can say whatever you want about policy and policy disagreements. This is not constraining anyone's ability to express their opinion. It is constraining their ability to promulgate negativity about this body and it's individual members.

And because sames that promulgate negativity about the body and its members, compromise the dignity of this council. It compromises trust in council. It makes people feel bad about politics. It makes them not want to turn out to vote, to not tune into issues. There's nothing more dangerous than a public ta don't listen to issues because they are so complex and that cannot be remedied by sanctioning an individual member by not reelecting them because you have damaged the institution and I think we have lived with and repair our basic democratic institutions. Let's on the local level steward and protect our own.

>> Councilmember Ramlawi.

>> Yeah. You know, I appreciate the sentiments that many are bringing to this. That we have a bigger responsibility to uphold ourselves as leaders. And that our words do carry weight and our actions do carry weight. When I ran for city council I didn't think I was going to be suspending so much of my personal rights in other areas of life. That was not what I signed up for. And I agree with Councilmember Briggs that our voters should be holding us accountable. They should be sending us e-mails calling us out, asking for us to do a better job representing them and our city. These

similarities to what's going on in DC, I think are just overinflated. And I believe that we should use language that we used in other parts of these rule changes that were suggested by the attorneys so that it could speak more to -- if they, you know, were to be disruptive or threatening. And add disruptive and threatening perhaps. But, again, I feel this is an overreach. I feel comfortable in the majority to do that but the lives of the minority are being threatened and I make a motion to amend the amendment so that this paragraph can stay but we can strike out the phrase "or in another public venue". I think --

>> Councilmember. Let me suggest you wait until this amendment is voted upon, if it passes then your concern is met. If not, you can make a second amendment to remove another public venue language is that acceptable.

>> Fair enough.

>> Thank you. A couple points. We're talking about rights here. The speech is not being constrained. The purpose of this provision is to provide a structure for that speech to be responded to. To be responded to by the person immediately offended and by the body as a whole to evaluate the speech and to render its conclusion. There are no rights being brought upon. There are no rights being limited. The right to speech is preserved. Councilmember Griswold.

>> I just want to clarify my interpretation of this last paragraph. The only person who could start any action or bring a grievance is the member who feels they've been wronged. This is not for us to police each other, correct.

>> Yes.

>> I guess in terms of damage to this body. I feel like my character is assailed these three or four times a week on social media so I'm more than willing to support this and move forward and I think just having the conversation about it and acknowledging that it's a problem is a healthy first step.

>> Further discussion to the amendment? Roll call vote, please. Starting with Councilmember Eyer, that is to say for clarity the amendment is to remove the redress of grievances paragraph.

>> Councilmember Eyer?

>> No.

>> Councilmember Nelson.

>> No.

>> Councilmember Briggs?

>> No.

>> Councilmember Ramlawi?

>> Yes.

>> Councilmember Hayner.

>> Yes.

>> Councilmember Griswold.

>> No.

>> Councilmember Song.

>> No.

>> Councilmember Grand.

>> No.

>> Councilmember Radina.

>> No.

>> Mayor Taylor.

>> No.

>> Motion fails.

>> Further discussion of the main motion. Councilmember Ramlawi.
>> I would like to strike out or in another public venue.
>> We've all thought about this enough and that we move to a vote. Discussion? Amendment's been made to remove or in another public venue. Roll call vote starting with down Councilmember Hayner.
>> Just to point out it doesn't read properly. Instead it should say or impugn by another councilmember.
>> I will consider that friendly to the body.
>> I'm sorry.
>> An amendment to the amendment in a matter that's friendly. Thank you, councilmember. Is there any further discussion? On the amendment? Roll call vote please, starting with councilmember Eyer.
>> No.
>> Councilmember Nelson.
>> No.
>> Councilmember Briggs.
>> Yes.
>> Councilmember Hayner.
>> Yes.
>> Councilmember Disch.
>> No.
>> Councilmember Griswold.
>> No.
>> Councilmember Song.
>> No.
>> Councilmember reDina.
>> No.
>> Motion fails.
>> Further discussion of the main motion. Councilmember Ramlawi.
>> Thank you. I'll try to be short as it's getting really late. It's unfortunate that we're going this route. Obviously I have made my displeasure known. Hopefully one day this body will change what I think is moving in the wrong direction. I think the going to lead to more viciousness. Uncivility. And it's going to be done by proxy. It's going to be a bunch of proxy actors as we already have seen come into our community and we can all act like we're Teflon, nothing sticks to us and it's coming from other people so rather than the criticism coming directly from, you know, the horse's mouth which I'd rather know who my, you know, who my enemies are, I'd rather be stabbed head on than in the back. I think what's going to happen here is it's just going to get more sophisticated as to who is on social media and who is the actors -- we saw it with the PACs and a lot of money being poured into campaigns and actors coming into the local scene. I feel that that's what will happen. There's going to be a whole lot of shady stuff going on behind the scenes. So the thought of things getting all cordial and civil and -- I hope that's right. I hope I'm completely wrong but I feel we'll get a lot of bad actors to do the dirty work.
>> I'd like to make a small amendment to move public commentary prior to the close session in council special sessions.
>> Is there a second? Is that friendly to the body? It's not. Councilmember Briggs you want to speak to it briefly and again Griswold and then call it a day. Councilmember?
>> My only point is just the way our special sessions work is that we -- it would be

challenging for the public to pass it around and wait for it -- for the closed session to speak. I'm just trying to get public comment -- to make it more accessible.

>> Councilmember Griswold.

>> The reason we made this change and we waived the need for the public to speak with the fact that we are frequently paying two or three lawyers at 300 dollars an hour plus staff and if we have a public comment period that goes on for 45 minutes or more that's significant time. With Zoom it's a lot easier to sort of walk away and just check to see if closed session is over. My recommendation is that we leave it the way it is and then when we start having meetings in-person again we may want to be considerate.

>> Councilmember Hayner.

>> I suppose I have a question on the comment and the question is, do we have a work session. This is referring to a -- specifically to a work session -- could we make it such that that is a reserve time and not general speaking so that they are speaking only to the topic before us after general session. That would make it more appropriate. It's already appropriate to have it at the start, I agree with councilmember Briggs' point. But if this is only speaking to the topic before us. Just throwing that out there. I would happily support Councilmember Briggs' suggestion but I am throwing that out there as another option. I certainly understand how this came to be but I think for public access it's best to speak at the start. They may be interested in what we're going in to talk about and even a better reason to listen to the public.

>> That's something because -- I think this is just limited to the special session. I don't know whether the council wanted to do it for work session. The work session had a reason for doing it at 8:45 and that's very well regulated this issue under the OMA and I'm finishing that up. The OMA, generally and that's why we have a public commentary at the end that is unlimited because it is an open meeting act and trying to limit it is difficult. That's something I can look at further on this specific issue and I can come back and address it in the memo that I'm just finishing up and so whether it can be limited at a special session.

Clearly whether you have it at the beginning or the end let me suggest this.

There's no decision being made at the closed session. If there's an item on that's a decision-making point for some reason, you might want to then -- and you could by a vote move the public commentary to the beginning of the meeting. I understand that sentiment but often times and most of our special sessions there's not something up for a vote at that meeting.

>> Further discussion? Councilmember Griswold.

>> It's my interpretation of the open meetings act that whenever we have a public meeting we have to allow for public comment and so I think we have to have public comment general time.

>> Right.

>> Councilmember Briggs.

>> There may be some occasion where there's been 45 minutes of public comment in advance of a special session. My experience has been is that we haven't had any public commentary. Maybe we had one commenter or something like that but --

>> It's happened. As a matter of history I wouldn't put it as a frequent issue.

>> Thanks.

>> For my part, I think I'm going to decline the amendment particularly on the assurance that if the -- we are aware that we are going to be discussing something at closed session that has public interest associated with it that we have it within our

authority to switch it at the moment. And to provide for that comment in advance of that particular closed session so that it would be afterwards and the exception afforded. Further discussion of the amendment? To move the public comment of special sessions before the closed session. Roll call vote starting with Councilmember Eyer.

>> Councilmember Eyer.

>> No.

>> Councilmember Nelson.

>> No.

>> Councilmember Briggs?

>> Yes.

>> Councilmember Ramlawi.

>> Yes.

>> Councilmember Hayner.

>> Yes.

>> Councilmember Disch.

>> No.

>> Councilmember Griswold.

>> No.

>> Councilmember Song?

>> Yes -- no.

>> Mayor Taylor.

>> No.

>> Motion fails.

>> Further discussion to the main motion. Councilmember Hayner.

>> Thank you, Mr. Mayor, on page three, communications from council, it seems to cutting a minute off of each of our council communications time. In consideration of that I have been timing myself tonight and I do many other times. I spoke to five things. I spoke a card reading, which was an announcement, another announcement of the public meeting at my ward. The federal mask mandate and Dr. Jackson's timely remarks. So that was two minutes and fifty-six seconds so which two of those would you have me strike. I feel my council colleague, you know, she reports out from planning. And a few other appointments at our ward could easily exceed two minutes. I feel limiting the communications time is not particularly a good move. I'm going to move that to three minutes and three minutes. Thank you.

>> Is there a second? Councilor Ramlawi.

>> I appreciate my councilmember's statement there. There may be some meetings where you have a whole lot the say. I wasn't in favor of many of these reductions. But in the spirit of compromise and efficiency I went along with everything until the last part obviously but if the votes are there, I'd love to have three minutes at the beginning. So I support it. And I will leave it at that for now.

>> Councilmember Grand. We'll go on your position and then go to vote maybe.

>> We originally had proposed one minute to try to limit it to announcements only and as a compromise based on a concern that Councilmember Ramlawi had we increased it to two minutes. That's already representative of a compromise running time with this is to focus on announcements basic things so we're getting rid of the some of the issues we saw with kind of more back and forth so you're limited on time and you're not responding on what you heard in public comment but focusing on announcements and at the end, limiting it again so that we're not having as much of

the back and forth that we saw a number of times over the last year.

>> Further discussion? On the amendment, Councilmember Hayner.

>> Yeah, thanks, I'm going to say it now because I can see where this is going and when a councilmember's time to speak is reduced, because, you know, the rule is three, we're disregarding whatever was discussed in the process leading up to putting this before us. Right now it's three or six and going down to two or four. And so, you know, that two minutes that you're taking away, you're not taking away two minutes from Jeff Hayner or Julie Grand but from the people we represent in our wards. We represent the public. And so when you start taking away our time, either here or later on in the speaking to these matters like we are now, you're taking away the public's voice at the table. Not the individual representative's voice and I think that's a dangerous precedent to set and I don't support it which is why I move this amendment.

>> Further discussion? Roll call vote starting with Councilmember Eyer?

>> Councilmember Eyer.

>> No.

>> Council member Ramlawi?

>> Yes.

>> Councilmember Hayner?

>> Yes.

>> Councilmember Disch.

>> No.

>> Councilmember Griswold.

>> No.

>> Councilmember Song.

>> No.

>> Motion fails.

>> Further discussion on this motion.

>> The whole point of this discussion is to minimize the amount of time. I hope with future conversations we can perhaps entertain the idea of enacting something where at 12 o'clock or 1 o'clock, especially at 1 a.m. all matters are postponed. I feel at 1 a.m. we should be wrapping it up on what we're discussing. To this notion of being done with the people's work and the government's work within a four hour timeframe, twice a month, I think is overly ambitious and I am concerned about the notion that Councilmember Hayner that we're taking away from the people's time. I know a lot of people accuse me of being long-winded and just going on rants or whatever. But a lot of what I do is appreciated by people who want to hear of a robust discussion of issues we're setting policy on and that's who is going to be affected by this are the folks who want to hear their elected officials go back and forth debating public policy and that is a very dangerous and I don't think the work of a city like Ann Arbor with its complexities, its issues, its ambitions can get the work done in two four hour meetings a month. It's just not possible.

>> Councilmember Song.

>> I took a look at the Detroit, Grand Rapids, Lansing, after us is Flint, dear born, their budget sizes, population size and their council meetings, they are usually two to four hours long. Only Flint I saw went to nine half fours and occasionally Detroit went to ten hours depending on the situation so it seems like we're actually the anomalies -- these are cities with very difficult issues. Much -- and much bigger budgets. So I'm not really clear if the mean -- maybe we're less efficient with our time. And maybe it's worth taking a look at how other cities conduct themselves and,

again, my municipal crush being Durham, North Carolina goes maximum four hours. Maybe we can model what other cities are able to do.

>> Thank you, when we compare other cities the type of construction water system, I'm not sure if those communities have the same government structure that we have here. I will say we also talk about public engagement, community, inclusion, getting the public to participate, that by itself does not add a lot of time and not just all the hot air that comes out of the officials. It's our time to engage with the public and talk about public matters and we have a very engaged community. I will try to live within these new rules and do the best I can.

>> Further discussion? Roll call vote starting with council might be Eyer.

>> Councilmember Eyer?

>> Yes.

>> Councilmember Nelson?

>> Yes.

>> Councilmember Briggs?

>> Yes.

>> Councilmember Ramlawi?

>> Yes.

>> Councilmember Hayner?

>> No.

>> Councilmember Disch.

>> Yes.

>> Councilmember Griswold.

>> Yes.

>> Councilmember Song.

>> Yes.

>> Councilmember Grand.

>> Yes.

>> Mayor Taylor.

>> Yes.

>> Motion carries.

>> DC-6, resolution to approve drive-through COVID testing site as briar wood mall, 100 briar wood circle as a special event. Councilmember Disch.

>> This is a great idea. Let's vote yes for it.

>> The vaccine lobby, is that what this is all about? Councilmember Ramlawi.

>> Thank you for bringing this forward and I wish all our discussions on matters were going to be as quick as this one. Thanks.

>> Further discussion? All in favor?

>> Aye.

>> Opposed?

>> It is approved we have communications today from our city attorney?

>> No mayor.

>> We have the clerks report of communications petitions and referrals. I move to accept these. Discussion, please, of clerk's report. All in favor? Opposed? Clerk's report is approved we now come to public comment general time. This is an opportunity for members of the public to speak to council and community about matters of municipal interest. To speak, one need not have signed up in advance. Please enter 877-854-5247. Once you've been connected, please enter might idea 942-1273-2148. Once you've been connected please enter star nine to indicate that you wish to speak. When it is your turn to speak, our clerk will identify you but if last

three digits of your telephone number. When it is your turn to speak, please pay close attention to the time for speakers have three minutes in which to speak. Our clerk will notify you when you have thirty seconds remaining. When your time has expired please conclude your remarks and cede the floor. Anyone who would like to speak at public comment?

>> Caller with the phone number ending in 556?

>> Hi, this is Ralph McKee again, can you hear me?

>> Yes, we can.

>> I want to start by thanking Councilmember Grand for your thought advocacy on the Cardinal Avenue. On DC-1 and 7, despite my comments I fully support the nominees and I'm grateful for their willingness to serve. To Councilmember Grand I will say this, I totally disagree with your claim that you are a victim. First, as Councilmember Eyer said many times the public job is to inflict uncomfortable. If it's too exhausting you inserted yourself into that process. If you can't stand the heat like my mom used to say, get out of the kitchen and your point that there should be consequences that you should be responsible outside of council negates your victimhood here. If you don't want something to repeat something you say, don't say it. Or ask for confidentiality in advance. That leads to my next point which is there's a reason for the open meeting act. That's so the public can see how the sausage is made and see those kind of deals. Here there was four out of eleven that doesn't violate the OMA but if you had specific comments with other people that enabled you to say I have the votes, you're getting pretty close to the line there. Next, I would want to say that the consequences also apply to communications with people. There was an e-mail laying out exactly what I laid out in my earlier public comment and you said to her in your reply that she made false accusations. That isn't the case. She told it exactly like it happened and so I just -- that whole issue I think a little bit of looking in the mirror would be a good thing. Thank you.

>> Thank you.

>> Caller with the phone number ending in 936.

>> Hello. Can you hear me?

>> Yes, we can.

>> All right. This is violin monster here and perhaps by now you'll -- the choice is always yours of course but I'll hope that you will listen to what I have to say. And this is advice for every single one of you up there. And in the -- upcoming elections from now until the foreseeable future probably ever, you will need to reach out to the student vote and reach out to the students. The students in this city make up 30-40% of the population. And how much do you really know about them? How many connections do you have? Do you maintain with them? This is, to me, both my biggest concern is representation. And so what I would like to see from the city is we've seen from the presidential election how well you worked with the university to reach out to students, actually get them to the polls, I would like to use that same energy to have information available to them on campus if that's something the university would like to partner with. I think that would be wonderful. But as individual councilmembers, you can reach out to different groups and clubs on campus. It's true that you might not think that it's worthwhile. But it's a demographic that slowly changes over time. But all the jobs that we're creating, a lot of them are creating jobs here specifically to attract graduates. So there will be some -- always some students who will find work here and want to live here too so they will be long-term in --

>> Thirty seconds.

>> That's just something I hope you will consider and think of ways you can reach out. Another thing is that I just want y'all to know it's 1 a.m., past 1 a.m. and I'm dealing with some loss right now. I got some bad news a couple days ago and I know I'm not the only one that can be dealing with type of loss so when you're up there bickering and talking about childish kindergarten rules just think about the pain the community's feeling.

>> Time.

>> Thank you.

>> Caller with the phone number ending in 340.

>> Yes, greetings. Mayor Taylor and city council. This is Luis Vasquez from the first ward. Tonight I will refer to FOIA filed by Eric Sturgis and quote something that Mr. Hayner had said in an e-mail to the mayor. He said, after my commentary last time, two weeks ago, he says Mr. Vasquez clearly threatened me in tonight's council comments. Now that is, you know, really not appropriate but I was really impressed with Mayor Taylor's response to Jeff Hayner's assertion he says a member of the public has expressly viewed about how you perform your role as councilmember. They have done so in a way that is pointed but measured. I have not ignored the comment. I have taken time to reflect upon the important roll that uncomfortable and channelling public comments play in our government.

Having been on the business end of several such critiques, some serious, some legitimate because we all make mistakes

It appear to the contrary that you have ignored it.

Both as an opportunity for reflection and assuming, with charity, that you were earnest in your concerns for your physical safety by your fail your to report it to the police department. Perhaps if the resident had had more time he would have engaged the tendency of authoritarians and fascists to falsely style themselves as victims and deceit everywhere, more accurately invent the malicious hand of a shadowy leader supported by fifth columnists when of course no such cabal exists. Mr. Mayor, I would love for you to tell the Ann Arbor community how many meetings that I've had with you to collaborate on Ann Arbor politics. How many phone calls have we had? How many e-mails have I sent you or have you sent me? How many texts have we shared? How much money? How many dollars have I contributed to your campaigns? You know, I think we all have the same goals, we just have different visions of how to get there. Thank you very much for your time.

>> Thank you.

>> Caller with the phone number ending in 967.

>> Am I unmuted?

>> Yes, you are.

>> Yes. Am I unmuted? I hope so. This is Alan Haber. I tried to get through before. Good. Good. Well, congratulations to the council, you keep going long into the night. But I have persevered along with you. I want to talk a little on the council of the commons and the upcoming Earth Day. I'm glad you appointed people to the council finally. I don't know them except for Alice Ralph who I'm very glad is on the council. I met Alice at Labor Day on the democratic party 2009 and the two of us decided to propose the A 2C 2 community commons for the library lot. And now 11 and a half years later, with a lot of struggle, it is fitting that she be on this council. I'm very glad she is and I welcome the others to an exciting learning curve about the commons. I hope, although I don't see that in this process an indigenous voice, someone is on this council, someone who knows this place from the family stories seven generations back and is educated in these each seven generations as part of

their culture. This group that's been expanded should be expanded further to ensure there's an indigenous voice among us as we look at how to create this community commons. I see the commons as being expanded and that actually a few in this new council needs to reattach on this report. The council takes shape from the bottom up. The people actually using the commons and doing the common in self-management. The gardeners, the playgrounders, the common good time sharing innovators of the world of mutual aid. Those are the people who become the council of the commons who are actually using this space for the benefit of themselves and the whole community. So that's the real council. So, well, anyhow, the governor, the president said this upcoming earth day is the time to focus on the commons. So we're focusing from the initiating committee and the groups that have done Earth Day to do some Earth Day and we invite the whole community into seeing an opening of the commons. So we look forward and I hope this council of the commons becomes real commons and we all work together so Earth Day was Thursday April 22-25. Let's see the conversation of the common -- of the climate which the whole country is talking about take -- come from all the neighborhoods into the center of the city and --

>> Time.

>> -- the council should be part of it and 820 and so thank you very much. I'm sorry I missed out earlier. Bye-bye.

>> Thank you.

>> Mayor, none of the other callers on the line have their hands up.

>> Anyone else who would like to speak on public comment. If you're on the line and wish to do so press star nine now.

>> Caller with number ending in 326.

>> Hi, this is Jamie M. and I wanted to tease out four items from the meeting today that I heard that I think would be good to revisit really quickly. One of them is -- Councilmember Briggs mentioned the notion of valuation of when doing zoning, when doing development, when improving developments, looking at equity in surrounding areas, looking at equity in residents basically and in access that people have and I think that that's really important so I wanted to tease that out. It was suggested that that was something that could be done in the future possibly by staff. I think that'd be important. Another thing that came out in the discussions about zoning and building was I think Grand mentioned was the idea that developers, when they're putting together a project are encouraged to integrate the people that would be living in that development with the other community organizations, other community buildings, be it a school, a community center, whatever, so if they're doing a senior center to encourage some sort of connection with the surrounding schools.

Or with surrounding businesses or things like that. I think that's a really positive thing and I hope that council explores more of that or city staff explores more of that.

Another thing is that Councilmember Hayner mentioned setbacks in regards to mass transit and the impact on that. There are actually some examples in the United States where mass transit is integrated into the fronts or parts of the building and actually becomes part of it so that setback isn't as necessary. Lastly, I wanted to reiterate the importance of the way in which people in a group who are part of a committee or the council or whatever, leadership group, treat each other, not just when they're at the table but when they stepped away from the table. It is really important. I'm sure, frustrating to have to talk about rules and have tiny rules for all these things but it is really important that people treat each other respectfully when

they step away from the table on social media and e-mail communications with constituents and whatever I think it is really important.

And I hope and I'm optimistic that after tonight and in some of this discussion that you can all take a step back and just think about that and think about what it presents to other people when you speak ill of others around the table with you. Take care.

>> Thank you.

>> Mayor, none of the other callers on the line have their hands up.

>> If any of the callers on the line would like to speak at public comment, please enter star nine now. Seeing no one, public comment is closed. Are there communications today from council? Councilmember Hayner.

>> I had pencilled in a potential closed session on Wednesdays.

>> I believe that was signed today by the mayor and will be posted tomorrow.

>> Thank you. The only other thing I have to say. I talk pretty fast and this is going to be in a situation where we're going to have to write everything down to get it out in our two minutes. Maybe that's fine. I just -- you know, having timed myself on my council communications today I am shocked at how quickly it goes for someone who speaks rather quickly I believe. I'm disappointed that in an effort to speed up our meetings we have cut away from our own time for public deliberations. And not only our time but the council's future. I will try to be positive about it but I don't see this as, you know, I mean, there's other ways to achieve these goals I think and I'm disappointed that we adopted this first round. Do they instantly apply now or do they start with our next meeting? It wasn't clear. I just wanted to ask that also. Thank you.

>> Councilmember Griswold.

>> Two quick things. The chair of the environmental commission sent an e-mail to council regarding chapter 40. I'm not able to find it attached to registrar and it may be there so I will follow up with the city clerk and send it out to all councilmembers. So that we can receive it on -- at our next meeting. I also met with the city administrator regarding the comments I made at the last council meeting and I have a statement to read. I continue to have concerns about the quality of information from the transportation department. I appreciate staff's willingness to meet to discuss a path forward. While I regret my delivery it is the culmination of over a decade of concerns which I have previously shared with city administrators and mayors, that's plural on both accounts. Unfortunately sometimes at council meetings. I believe we all share the goal of improving transportation's safety and our targets. I look forward to keeping the council and public informed as we work locally. And as we work on a Michigan crosswalk law, thank you.

>> Radina.

>> I know we are late and I hesitate to bring this up. Thank you for humoring me. I wanted to react that something I heard as a theme throughout the meeting tonight and to highlight what I think is ultimately a positive and I want to caution this body I guess into how much we play into the narrative that is being perpetuated. That there is some clear council majority and minority that exists in this body. I think anyone who is watching tonight or frankly if people weren't watching tonight they'd struggle to identify a clear majority and minority. And to the extent that we look no further than councilmembers Griswold and Eyer as being part of different factions they probably worked together more effectively than any two of us since this group --

Yeah, any pair of us since this group has been seated. I don't perceive myself as being a part of any powerful majority despite the fact that sometimes that narrative is played out that. You know, I don't have committee power that others don't have. I don't have power at this table that others don't have. Certainly we agree and disagree at times but I think actually was evident that those lines stack up differently from issue to issue and so to the extent that we continue to work forward I think tonight was a good example of tonight on being a long meeting it didn't get incredibly personal and I think we stayed relatively professional and I hope we continue to model that and this is my invitation to anyone else. This body that I look forward to working with anyone and I hope you all feel the same way and I hope that we're not overly imposing on ourselves these battle lines that sometimes get drawn during campaigns and we can continue to work together as a group and model some of the behavior that we've seen from Councilmember Griswold and Eyer that we've seen over the last couple months.

>> Ramlawi.

>> I want to talk about a couple things. I had some constituents reach out to us about our salt and sand giveaway program throughout the community. It has not been widely communicated with our residents. In fact I'm looking at my water bill here. We get this letter attached to it to inform our residents of some things and normally we have the locations of those salt and sand pickup on this form and I don't see that on this one. So I just wanted to bring that up real quick. And I also want to talk about -- because I got to speak to this and then I'll come back to maybe something else, but there's been an attempt here to say because Griswold and Eyer worked on these rules and there was representation from both political sides from the body represented in that. I will push back a little bit. I did not assign those over the Councilwoman Griswold in this case to represent my position.

So I really want to just state that I was not a cosponsor of those rules and I voted for them because I think can I live by them but I think it's overreaching and I am not going to subscribe to that narrative that Councilwoman Griswold championed my interest in those discussions.

That was not the result. So I don't subscribe to that narrative and lastly the issue of equity has come up tonight and the biggest issue is technology and COVID-19 and the internet and connectivity and reliability to the internet for many folks and people have been calling me and e-mailing me about the skyrocketing costs and the unreliable service and now that we're more dependent on it than ever before and seems we'll come out of it that same way we need to look at how we can become more equitable when it comes to that public utility and I know that being on the LGFA board we've been looking at putting in a fiber optic backbone and connecting to some parts of Ypsilanti perhaps and hopefully we can build off of that to have a more equitable community here who can connect to the internet in ways that they can't right now. So just a few things there that I wanted to say before it was too late.

Thanks and have a good night.

>> Councilmember Briggs.

>> Yeah. Thanks. So I wanted to end on at least somebody else's words that I thought were uplifting this month but I think could resonate pretty well around this table around the discussion of unity. So I hope -- I suspect that all of us listen to President Biden's inauguration speech with great relief and optimistic as we listen to it. But I was struck when there was discussions of unity. It was obviously deemed at differences between democrats and republicans and we're a table of democrats but we have some real policy issues that we struggle with and will continue to. I hope to

see good debates around this table but there were words that resonated for me. History, faith, and reason show the way, the way of unity, we see each other not as adversaries but as neighbors. We can treat each other with respect. We can lower the temperature for without unity there is no peace only bitterness and fury. No progress, only exhausting outrage.

>> Councilmember Song.

>> I don't know few ever explained what I'm sitting in front of. This is a piece of artwork that actually covers the life expectancy differences across different zip codes and how there's a 17 year life expectancy between black residents and residents and other zip codes. If we talk about equity we talk about the people who have faith, have had to, you know, experience our policies where it comes to segregation, economics, we have a lot of work ahead of us. I'm glad we're able to get these administrative things out of the way so we can do the more difficult work and speak to the impact that policies here have on really vulnerable communities. Internet access is one of them but this council had voted on race as a public health issue back in July and now we're hopefully taking equitable community engagement more seriously. Beyond what staff has already started and worked on so I'm hopeful and I'm excited to see what can happen so that when we speak to these communities within our area codes and along the borders and the communities actually come here also to school, to work, we'll be able to give some answers and make some improvements. Oh, also, if you have lasted this long, a reminder the Ann Arbor community academy application is due on the 19th. Thanks.

>> Further communication from council? Mr. Postema. Do you have a closed session today?

>> No, mayor.

>> Another one of our little regrets. A motion to adjourn, please, moved by Councilmember Griswold. Seconded by Councilmember Radina. All in favor? Opposed? We're adjourned everyone. Please.

>> Thank you.