

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes - Draft

Monday, August 19, 2024

7:00 PM

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

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

City Council

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

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Taylor called the meeting of the Ann Arbor City Council to order at 7:01 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 10 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Ayesha Ghazi Edwin, Councilmember Chris Watson and Councilmember Dharma Akmon

Absent: 1 - Councilmember Jennifer Cornell

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 [24-1548](#) Agenda Response Memo and eComments - August 19, 2024

Received and Filed

AC-2 [24-1576](#) City Administrator's Report - August 19, 2024

Received and Filed

INT INTRODUCTIONS

INT-1 [24-1467](#) Ann Arbor Area Transportation Authority

Jeff Pfeifer, Manager of Public Affairs and Engagement for AAATA, provided an update to City Council from the AAATA.

Received and Filed

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

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

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

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

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

- 1. Odell Palacio - Home Occupations in Residential Neighborhood Resolution (DC-3) (phone)**

Odell Palacio, Ypsilanti resident, was not present.

2. **Tom Stulberg - Ordinance Regarding Planning Commission Modifications (C-1); Home Occupations in Residential Neighborhood Resolution (DC-3) (phone)**

Tom Stulberg, resident, spoke about C-1, the proposed modifications to the Planning Commission; CA-2, the Resolution Directing the City Administrator to work with Real Estate Brokerage or Seller's Agent Services for the Sale of 415 W. Washington; and DC-3, Home Occupation in Residential areas.

3. **Kathy Griswold - Resolution Regarding Police Staffing (CA-12); Blue Ribbon Panel to Avoid Tax Increase (in person)**

Kathy Griswold, resident, discussed the Police restructuring plan. She also spoke about her opposition to any increase in taxes. She also talked about crosswalk safety.

4. **Henry Herskovitz - Holocaust Education in AAPS (in person)**

Henry Herskovitz, resident, spoke about the Holocaust and Holocaust education in the Ann Arbor Public Schools.

5. **Ralph Mckee - Street Lighting (in person)**

Ralph Mckee, resident, spoke about his disappointment regarding the decision-making process for the approval of new streetlights.

6. **Evan Souliotis - Departmental Accountability (in person)**

Evan Souliotis, resident, spoke about his concerns with the operation of the Building Department.

7. **Adam Goodman - Vision Zero (phone)**

Adam Goodman, resident, spoke about the need for more progress in the implementation of the City's Vision Zero plan.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER DISCH*

Councilmember Disch addressed the comments made by a public speaker regarding Holocaust denial.

Councilmember Disch spoke about the upcoming visit from the City's sister city Tubingen, Germany. She also reminded residents that the A2Zero Green Fair will be held on September 20th.

COUNCILMEMBER AKMON

Councilmember Akmon spoke about preventable gun deaths, and how the City has expanded a free no questions asked gun lock program.

COUNCILMEMBER BRIGGS

Councilmember Briggs spoke about the City's current financial state and discussed the upcoming Proposal D on the ballot.

COUNCILMEMBER SONG

Councilmember Song discussed upcoming local ballot proposals.

Councilmember Song also spoke about the potential to address budget shortfalls with a possible override of the Headlee Amendment.

COUNCILMEMBER WATSON

Councilmember Watson reminded residents of the upcoming Nixon Corridor Improvement Plan virtual office hours.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA**CONSENT AGENDA ITEMS REMOVED**

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

CA-2 Resolution to Direct the City Administrator to Contract for Real Estate Brokerage or Seller's Agent Services for the Sale of 415 W. Washington

Passed on consent agenda

A motion was made by Councilmember Radina, seconded by Councilmember Harrison, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-7, CA-9, CA-11, and CA-15.

CA-1 [24-1495](#) Enactment No: R-24-329 **Approved**

Resolution to Approve a Street Closure of Washington Street between Fletcher and Thayer Streets for the Eli Lilly Mobile Research Unit on Wednesday, September 4, 2024 from 7:00 AM until 10:00 PM

CA-3 [24-1400](#) Enactment No: R-24-330 **Approved**

Resolution to Approve a Two (2) Year Purchase Order with AJAX Materials Corporation for Bituminous Patching Materials, ITB-4749 (\$168,250.00 Annually)

CA-4 [24-1402](#) Enactment No: R-24-331 **Approved**

Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDEAL) from Compass Minerals America Inc. for Early Fill (\$58,990.00) and for Seasonal Backup Supply (\$217,200.00)

CA-5 [24-1404](#) Enactment No: R-24-332 **Approved**

Resolution to Approve a Two (2) Year Purchase Order for Aggregate Materials and Hauling Services for Excavation and Street Sweeping Waste from Stone Transport Limited Partnership, ITB-4750 (\$349,385.00 Annually)

CA-6 [24-1407](#) **Enactment No:** **R-24-333** **Approved**

Resolution to Approve a Two (2) Year General Services Agreement with Miller-Boldt Inc., for On-Call Mechanical Services for Public Works, ITB-4750 (Not-to-Exceed \$200,000.00)

CA-7 [24-1411](#) **Enactment No:** **R-24-334** **Approved**

Resolution to Approve Amendment No. 1 to the Professional Services Work Statement Agreement with Access Michigan, LLC for the Wheeler Center Rooftop Cooling Units (Additional \$34,000.00 for a Contract Total of \$254,000.00 including contingency), and to appropriate \$34,000.00 from the Wheeler Service Center Fund Balance (8 Votes Required)

CA-8 [24-1413](#) **Enactment No:** **R-24-335** **Approved**

Resolution to Approve a Professional Services Agreement with Carbon Activated Corporation for Furnishing of Granular Activated Carbon RFP 24-29 (\$402,600.00)

CA-9 [24-1417](#) **Enactment No:** **R-24-336** **Approved**

Resolution to Approve a Construction Contract with Michels Construction, Inc. (Michels) in the amount of \$9,355,700.00 for the Barton Dam Right Embankment Remediation Project (RFP 24-03) and to Appropriate \$500,000.00 from the General Capital Fund Balance (8 Votes Required)

CA-10 [24-1418](#) **Enactment No:** **R-24-337** **Approved**

Resolution to Approve Amendment No. 4 to the Professional Services Agreement with NTH Consultants, Ltd. for the Barton Dam Right Embankment Remediation (Amendment Amount \$1,700,000.00; Total Contract Amount \$2,871,287.77)

CA-11 [24-1439](#) **Enactment No:** **R-24-338** **Approved**

Resolution to Authorize the Purchase of Three Western Star Swap Loader Chassis with Underbody Snowplows and Six Swap Loader Bodies from D & K Truck Company and Appropriate Funding (State of Michigan MiDeal - \$1,031,541.87) (8 Votes Required)

CA-12 [24-1333](#) **Enactment No:** **R-24-339** **Approved**

Resolution to Eliminate Two (2) Police Office Positions and Add One (1)

Lieutenant Position

CA-13 [24-1453](#) Enactment No: R-24-340 **Approved**

Resolution Recognizing Children's Literacy Network as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

CA-14 [24-1504](#) Enactment No: **Deleted from Agenda**

Deleted from Agenda

Resolution to Approve the Creation of the Ann Arbor State Street Social District and the List of Participating Establishments

CA-15 [24-1502](#) Enactment No: R-24-341 **Approved**

Resolution to Accept and Appropriate Inflation Reduction Act Grant Funds from the USDA Forest Service as a Subaward through American Forests for City Tree Canopy Projects (\$1,000,000.00) (8 Votes Required)

CA-16 [24-1415](#) Enactment No: R-24-342 **Approved**

Resolution to Approve a Professional Services Agreement with Baker and Associates for Inspection Services (\$124,178.47) (RFP No. 24-35) and Establish a Project Budget for the 2024-2025 Bridge Inspection Program (\$175,000.00)

CA-2 [24-1432](#) Enactment No: R-24-347 **Approved**

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

Resolution to Direct the City Administrator to Contract for Real Estate Brokerage or Seller's Agent Services for the Sale of 415 W. Washington

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

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

- PH-1** [24-1031](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 27.65 Acres from R4A (Multiple-Family District) to R4D (Multiple-Family District) with the Condition that the Maximum Height is 75 Feet, Owl Creek Phase 2 Rezoning, 3380 Nixon Road (CPC Recommendation: Approval - 9 Years and 0 Days) (ORD-24-14)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 27.65 acres from R4A (Multiple-Family District) to R4D (Multiple-Family District), Owl Creek Phase 2 rezoning, located at 3380 Nixon Road. Notice of public hearing was published July 25, 2024.

The following people were present to speak at the meeting:

*A resident asked about the variance and its impact on the wetlands.
Ken Garber, Ward 2, spoke in support of the proposed rezoning.*

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

Held and Closed

- PH-2** [24-1009](#) **Enactment No: R-24-343** **Held and Closed**

Held and Closed

Resolution to Approve the 3380 Nixon Road - Owl Creek Phase 2 Site Plan and Development Agreement (CPC Recommendation: Approval - 9 Years and 0 Days)

A public hearing was conducted on the proposed 3380 Nixon Road - Owl Creek Phase 2 site plan. Notice of public hearing was published July 25, 2024.

The following person was present to speak at the hearing:

Ken Garber, Ward 2, spoke in support of the proposed site plan.

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

A APPROVAL OF COUNCIL MINUTES

A-1 [24-1539](#) Regular Meeting Minutes of August 8, 2024

A motion was made by Councilmember Watson, seconded by Councilmember Harrison, that the Regular Meeting Minutes of August 8, 2024 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [24-1031](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 27.65 Acres from R4A (Multiple-Family District) to R4D (Multiple-Family District) with the Condition that the Maximum Height is 75 Feet, Owl Creek Phase 2 Rezoning, 3380 Nixon Road (CPC Recommendation: Approval - 9 Years and 0 Days) (ORD-24-14)

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

DS New Business - Staff:

DS-1 [24-1009](#) Enactment No: R-24-343 **Approved**

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

Resolution to Approve the 3380 Nixon Road - Owl Creek Phase 2 Site Plan and Development Agreement (CPC Recommendation: Approval - 9 Years and 0 Days)

C ORDINANCES - FIRST READING

- C-1** [24-0577](#) An Ordinance to Amend Sections 1:175 Through 1:185 of Chapter 8 - Organization of Boards and Commissions of Title I Administration of The Code of The City of Ann Arbor (Planning Commission Modifications) (ORD-24-16)

A motion was made by Councilmember Disch, seconded by Councilmember Akmon, that the Ordinance be approved on First Reading and should be returned by 9/3/2024. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-24-16

- C-2** [24-1443](#) An Ordinance to Amend Sections 5.20.3 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Vehicular Use Area Buffer) CPC Recommendation: Approval (6 years, 0 nays) (ORD-24-17)

A motion was made by Councilmember Radina, seconded by Councilmember Ghazi Edwin, that the Ordinance be approved on First Reading and should be returned by 9/16/2024. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-24-17

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [24-1541](#) Enactment No: R-24-344 Approved

Sponsors: Akmon and Briggs

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

Resolution in Support of Michigan's Drive Safe Bills

- DC-2** [24-1551](#) Enactment No: R-24-345 Approved

Sponsors: Disch and Radina

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

Resolution for Community Events Fund Disbursements from the FY 2025 Budget

DC-3 [24-1560](#) Enactment No:

Sponsors: Song, Eyer, Cornell, Watson and Harrison

A motion was made by Councilmember Song, seconded by Councilmember Disch, that the Resolution be approved.

Resolution to Consider Allowing More Flexibility for Home Occupations in Residential Neighborhoods

[24-1560](#) Enactment No:

Postponed

A motion was made by Councilmember Song, seconded by Councilmember Watson, that the Resolution be postponed until 9/3/2024. On a voice vote, the Mayor declared the motion carried.

Resolution to Consider Allowing More Flexibility for Home Occupations in Residential Neighborhoods

DB New Business - Boards and Commissions:

DS New Business - Staff:

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCL 15.268 (1) (C), (D) (E), AND (H).

E & F CLERK'S REPORT OF COMMUNICATIONS

E The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Ghazi Edwin, seconded by Councilmember Disch, that the Clerk's Report of Communications be approved as presented. On a voice vote, the Mayor declared the motion carried.

- E-1 [24-1348](#) June 2024 Quarterly Investment Report
- E-2 [24-1489](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21658 Scheduled for August 22, 2024 - Sustainability - City Attorney
- E-3 [24-1496](#) Communication from Comcast Regarding Bally Sports Channel Changes, Effective August 1, 2024 - CTN, City Attorney
- E-4 [24-1521](#) Communication from Michigan Governor Gretchen Whitmer Regarding Two City of Ann Arbor Citizen-Initiated Charter Amendment Proposals for the November 5, 2024 Election
- E-5 [24-1543](#) Kurt Svoboda- Resignation from the Recreation Advisory Commission
- E-6 [24-1578](#) Communications from Ann Arbor SPARK Regarding Support of the Resolution to Consider Allowing More Flexibility for Home Occupations in Residential Neighborhoods

F The following minutes were received for filing:

- F-1 [24-1104](#) June 4, 2024 City Planning Commission Meeting Minutes
- F-2 [24-1115](#) Minutes of the May 15, 2024 Design Review Board Meeting
- F-3 [24-1117](#) May 22, 2024 ZBA Meeting Minutes
- F-4 [24-1130](#) GAC Meeting Minutes May 2, 2024
- F-5 [24-1264](#) PAC Meeting Minutes - May 21, 2024

- F-6 [24-1375](#) Airport Advisory Committee Minutes - May 15, 2024
- F-7 [24-1452](#) Election Commission Meeting Minutes of July 16, 2024
- F-8 [24-1104](#) June 4, 2024 City Planning Commission Meeting Minutes

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)

***THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

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

(Not necessary.)

ADJOURNMENT

A motion was made by Councilmember Harrison, seconded by Councilmember Radina, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:14 p.m..

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

LIVE: MONDAY, AUGUST 19, 2024 @ 7:00 P.M.

REPLAY: FRIDAY, AUGUST 23, 2024 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network live televised public meetings are also available to watch online live and on-demand from CTN's website, www.a2gov.org/watchctn <<http://www.a2gov.org/watchctn>>, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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

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

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

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

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

A hard copy of this Council packet can be made available upon request during regular business hours.