

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Monday, October 17, 2022

7:00 PM

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

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Enter Meeting ID 942 1273 2148

Larcom City Hall, 301 E Huron St, Second floor, City Council Chambers

City Council

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 10 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

Absent: 1 - Councilmember Ali Ramlawi

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 [22-1719](#) Agenda Response Memo and eComments - October 17, 2022

Received and Filed

AC-2 [22-1756](#) City Administrator's Report - October 17, 2022

Received and Filed

INT INTRODUCTION

None.

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

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

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

4. Henry Herskovitz - Holocaust Education (in person)

Henry Herskovitz, resident, expressed his opinion regarding the history of the Holocaust.

1. Jeffery Harrold - Defend Black Voters Coalition Resolution (CA-14) (in person)

Jeffery Harold, resident and local pastor, spoke in opposition to CA-14, due to BCBS' support of anti-progressive values, including the disenfranchisement of minority voters.

2. Audrey Anderson - Resolution to Authorize an Agreement with Blue Cross Blue Shield of Michigan / OptumRx for Pharmacy Benefit Management Services (CA-14) (in person)

Audrey Anderson, of Ypsilanti, spoke in opposition to CA-14, due to BCBS' support of anti-progressive values, including the disenfranchisement of minority voters.

3. Edward Sanders - Voting Concerns and Blue Cross Blue Shield of Michigan (CA-14) (in person)

Edward Sanders, of Ypsilanti, spoke in opposition to CA-14, due to BCBS' support of anti-progressive values, including the disenfranchisement of minority voters.

5. **Trische Duckworth - Defending the Black Vote (CA-14) (phone)**

Trische Duckworth, of Belleville, spoke in opposition to CA-14, due to BCBS' support of anti-progressive values, including the disenfranchisement of minority voters.

CC COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER SONG**

Councilmember Song encouraged Council and the public to attend an upcoming fundraiser for the Washtenaw Housing Alliance.

COUNCILMEMBER GRISWOLD

Councilmember Griswold reported out about recent media coverage of the Gelman 1,4 dioxane plume.

Councilmember Griswold also provided an update regarding Vision Zero.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about proposed changes to the Council Rules. He stated he enjoys hearing from the public and would not support a Rule change to restrict public comment or take away General Time at the end of the meeting.

COUNCILMEMBER RADINA

Councilmember Radina also spoke about the changes to the Rules, noting they are still being considered by the Administration Committee in consultation with City staff.

He responded to a public comment made regarding the Holocaust.

COUNCILMEMBER EYER

Councilmember Eyer spoke about the upcoming proposed Rules changes. She said the opportunity at the beginning of the meeting for public comment will be expanded.

COUNCILMEMBER GRAND

Councilmember Grand congratulated the City Clerk's Office regarding

the partnership with the University of Michigan to open two satellite clerk offices on campus.

COUNCILMEMBER BRIGGS

Councilmember Briggs also spoke about the City Clerk satellite offices at UMMA and the Duderstadt Center and stated she participated in Feel Good Friday at the Museum to celebrate the Vote 2022 project.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [22-1610](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented to Council at the October 3, 2022 Regular Session:

Ann Arbor Area Transportation Authority Board of Directors

Chris Allen - Partial Term

Term Ending: May 1, 2026

Downtown Development Authority

Thressa Nichols - Partial Term

Term Ending: May 31, 2024

Steven Brummer - Partial Term

Term Ending: May 31, 2024

Danielle Vaughn - Partial Term

Term Ending: May 31, 2024

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

MC-2 [22-1662](#) Appointments - Confirmations

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

*Housing and Human Services Advisory Board
James Downing - Partial Term
Term Ending: May 31, 2023*

*James Daniel
Term Ending: May 31, 2025*

*Human Rights Commission
Sarah Peitzmeier - Partial Term
Term Ending: May 31, 2024*

Referred to the City Council due back on 11/10/2022

MC-3 [22-1713](#) Resolution to Appoint Brandon Bond to the Human Rights Commission (7 Votes Required)

Mayor Taylor presented the Resolution of Appointment for approval at a later date.

Referred to the City Council due back on 11/10/2022

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

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

CA-14 Resolution to Authorize an Agreement with Blue Cross Blue Shield of Michigan / OptumRx for Pharmacy Benefit Management Services Effective January 1, 2023 (\$8,964,668)

Passed on consent agenda

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirements of CA-3, CA-4, CA-5, CA-7, CA-8, CA-9, and CA-10.

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- CA-1** [22-1621](#) **Enactment No: R-22-331**
Resolution to Approve a Construction Contract with Weiss Construction Co., LLC in the amount of \$1,910,734.00 for the Valve and Finished Water Tank & Reservoir Improvements Project (CRFP 22-53)
- CA-2** [22-1609](#) **Enactment No: R-22-332** **Approved**
Resolution to Approve Amendment No. 1 to the Professional Services Agreement with NTH Consultants, Ltd. for Barton Dam Right Embankment Remediation (\$214,102.47, contract total \$803,507.77)
- CA-3** [22-1577](#) **Enactment No: R-22-333** **Approved**
Resolution to Approve a Professional Services Agreement with Geosyntec Consultants of Michigan, Inc. for the Barton and Superior Hydroelectric Dams FERC Ninth Part 12D Inspections and Other Related Engineering Services - RFP No. 22-58 (\$ 100,000.00), and to Appropriate \$75,000.00 from the General Fund Balance (8 Votes Required)
- CA-4** [22-1556](#) **Enactment No: R-22-334** **Approved**
Resolution to Approve Professional Services Agreements with Hubbell, Roth and Clark, Inc., AECOM Great Lakes, Inc. and WSP Michigan Inc. for As-needed Transportation Engineering Services (Estimated \$450,000.00 Annually)
- CA-5** [22-1155](#) **Enactment No: R-22-335** **Approved**
Resolution to Approve the Purchase of Real Property Located at 302 Mulholland Ave in Fee Title for \$108,300.00 Plus Costs Not to Exceed \$20,000.00 and to Appropriate Funding from the Stormwater Fund (\$128,300.00) (8 Votes Required)
- CA-6** [22-1633](#) **Enactment No: R-22-336** **Approved**
Resolution to Approve a Contract with Miller Boldt Inc. for On-Call HVAC Services (Not to Exceed \$300,000.00) RFP #22-68
- CA-7** [22-1627](#) **Enactment No: R-22-337** **Approved**
Resolution to Authorize the Purchase of Direct Current Fast Charging Equipment from ChargePoint Inc. and to Appropriate Funding from the Fleet Services Fund Balance (Sourcewell - \$151,880.00) (8 Votes Required)

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- CA-8** [22-1569](#) **Enactment No: R-22-338** **Approved**
Resolution to Accept a Public Access Easement at 1200 Broadway from Morningside Broadway, LLC (8 Votes Required)
- CA-9** [22-1570](#) **Enactment No: R-22-339** **Approved**
Resolution to Accept an Easement for Public Right-of-Way at 1200 Broadway from the Morningside Broadway, LLC (8 Votes Required)
- CA-10** [22-1571](#) **Enactment No: R-22-340** **Approved**
Resolution to Accept a Water Main Easement at 1200 Broadway from Morningside Broadway, LLC (8 Votes Required)
- CA-11** [22-1659](#) **Enactment No: R-22-341** **Approved**
Resolution to Approve Three-Year Contract with Thomson Reuters for HighQ Collaborative Document Management Software Licenses and Implementation (\$152,760.00)
- CA-12** [22-1620](#) **Enactment No: R-22-342** **Approved**
Resolution to Become a Low Income Household Water Assistance Program Partner and Execute the Provider Participation Agreement
- CA-13** [22-1666](#) **Enactment No: R-22-343** **Approved**
Resolution Recognizing the Huron High School Parent Teacher Organization (PTSO) as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
- CA-15** [22-1652](#) **Enactment No: R-22-344** **Approved**
Resolution to Approve Amendment One to Contract with Public Sector Consultants for Public Engagement Activities Related to the Unarmed Crisis Response Program (\$5,000)
- CA-14** [22-1675](#) **Enactment No: R-22-345** **Approved**
Resolution to Authorize an Agreement with Blue Cross Blue Shield of Michigan / OptumRx for Pharmacy Benefit Management Services Effective January 1, 2023 (\$8,964,668)

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

- Yeas:** 8 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina
- Nays:** 2 - Councilmember Hayner and Councilmember Griswold
- Absent:** 1 - Councilmember Ramlawi

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.

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [22-1674](#) Regular Session Meeting Minutes of October 3, 2022

A motion was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Regular Session Meeting Minutes of October 3, 2022 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [22-1711](#) **Enactment No: R-22-346** **Approved**

Resolution to Approve Change Order 2 with Gerace Construction Company, Inc. for the 2022 Bandemer Park Bridge Repairs and Renovations Project (RFP 22-18, \$84,208.00 Increase) (8 Votes Required)

Sponsors: Grand

A motion was made by Councilmember Grand, seconded by Councilmember Disch, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

DC-2 [22-1749](#) **Enactment No: R-22-347**

Resolution Regarding Consistency of Corporate Expression of Values and Corporate Action

Sponsors: Taylor, Briggs, Eyer and Song

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

A motion was made by Councilmember Griswold, seconded by Councilmember Hayner, that the Resolution be referred to the Human Rights Commission. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 1 - Councilmember Griswold

Nays: 9 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Absent: 1 - Councilmember Ramlawi

A motion was made by Councilmember Griswold, seconded by Councilmember Nelson, that the Resolution be amended as follows:

Strike the 2nd Resolved Clause and refer that Clause to the Human Rights Commission.

On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Nelson

Nays: 7 - Mayor Taylor, Councilmember Grand, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Absent: 1 - Councilmember Ramlawi

22-1749 Enactment No: R-22-347 Amended

Resolution Regarding Consistency of Corporate Expression of Values and Corporate Action

Sponsors: Taylor, Briggs, Eyer, Song, Radina and Disch
Councilmember Nelson moved the following amendment, seconded by Councilmember Radina:

Amend 2nd Resolved Clause as follows: PROVIDE AN INTERIM OR FINAL REPORT NO LATER THAN THE 2ND MEETING IN JANUARY 2023.

The amendment was considered friendly by the Body.

Amended

The question being, the motion that was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Resolution be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

Absent: 1 - Councilmember Ramlawi

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 MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Hayner, seconded by Councilmember Briggs, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation under MCL 15.268 (e) regarding Rasiel Alvarez Rodriguez v. James Robert Boylan and City of Ann Arbor, Washtenaw County Circuit Court Case Number 21-001280-NI. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:43 p.m.:

Yeas: 8 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

Absent: 2 - Councilmember Griswold and Councilmember Ramlawi

MEETING RECONVENED

A motion was made by Councilmember Grand, seconded by Councilmember Disch, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 9:05 p.m.

E & F CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

E The following communications were referred as indicated:

Passed on consent agenda

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

- E-1 [22-1563](#) Building Board of Appeals Meeting Minutes for July 21, 2022
- E-2 [22-1629](#) Chris Vanden Broek- Resignation from the Environmental Commission.
- E-3 [22-1649](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Proposed Reissuance of NPDES COC No. MIG760021 - Ann Arbor Public Services - Sustainability
- E-4 [22-1650](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Proposed Reissuance of NPDES COC No. MIG760038 - Ann Arbor Public Services - Sustainability
- E-5 [22-1663](#) Ayesha Ghazi Edwin - Resignation from the Human Rights Commission.

F The following minutes were received for filing:

- F-1 [22-1249](#) June 28, 2022 Parks Advisory Committee (PAC) Meeting Minutes
- F-2 [22-1478](#) COC Draft Minutes August 17, 2022
- F-3 [22-1507](#) HRC August Meeting Minutes
- F-4 [22-1576](#) Building Board of Appeals Meeting Minutes for September 15, 2022
- F-5 [22-1175](#) Election Commission Meeting Minutes of March 4, 2022
- F-6 [22-1736](#) August 18, 2022 Council Policy Agenda Committee Final Meeting Minutes

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

Eric Lipson, resident, expressed concern about the proposed changes to public commentary. Mr. Lipson also spoke about the process to approve the TC1 zoning.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER GRISWOLD**

Councilmember Griswold stated a citizen-initiated petition drive will begin in 2023 to consider a Charter amendment to allow non-partisan elections.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about corporate sponsors and supporting local businesses.

COUNCILMEMBER SONG

Councilmember Song stated she was able to meet Vice President Kamala Harris and discussed local elections.

ADJOURNMENT

A motion was made by Councilmember Radina, seconded by Councilmember Briggs, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:12 p.m.

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

**LIVE: MONDAY, OCTOBER 10, 2022 @ 7:00 P.M.
REPLAY: FRIDAY, OCTOBER 14, 2022 @ 8:00 P.M.**

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

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

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

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