

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Final

Monday, September 19, 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 7:01 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: 11 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

APPROVAL OF AGENDA

A motion was made by Councilmember Eyer, seconded by Councilmember Hayner, 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 [22-1566](#) Agenda Response Memo and eComments - September 19, 2022

Received and Filed

AC-2 [22-1567](#) Memorandum in Response to R-22-240 - Resolution Directing the City Administrator to Expand Compliance Evaluations and to Continue to Provide Annual Reports Regarding Contractor Compliance with Prevailing Wage Requirements

Received and Filed

AC-3 [22-1600](#) City Administrator's Report - September 19, 2022

Received and Filed

AC-4 [22-1606](#) Response to Council Resolution R-22-241 - Resolution to Organize a Joint Meeting of Interested Individuals from the Environmental Commission, Transportation Commission, Energy Commission, Commission on Disability Issues, A2ZERO Ambassadors, and other Community Stakeholders to Identify Opportunities for Greater Coordination around Transportation, Pedestrian Safety, and Sustainability Initiatives Related to Sidewalk Expansion and Maintenance

Received and Filed

INT **INTRODUCTIONS**

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.

1. Evelyn Smith - Right to Renew and Relocation Assistance Ordinance (C-1) (in person)

Evelyn Smith, a resident and renter, spoke in support of the proposed Right to Renew Ordinance, C-1.

2. Zackariah Farah - Right to Renew and Relocation Assistance Ordinance (C-1) (in person)

Zackariah Farah, Chair of the Renter's Commission, spoke in support of the proposed Right to Renew Ordinance, C-1.

3. Karthik Pasupula - Right to Renew and Relocation Assistance Ordinance (C-1) (in person)

Karthik Pasupula, a student representing the Central Student Government, spoke in support of the proposed Right to Renew Ordinance, C-1.

4. **Brandon Dimcheff - Resolution to Restrict Turns on Red Downtown (DC-4) (in person)**

Brandon Dimcheff, Ward 4, spoke in support of DC-4, the resolution to restrict right turns on red lights.

5. **Donnell Wyche - Resolution to Remove Parking on Division Street between Hoover Street and Packard Street (CA-6) (phone)**

Donnell Wyche, resident, spoke in support of CA-6 to remove parking on Division Street between Hoover and Packard.

6. **Richa - Right to Renew and Relocation Assistance Ordinance (C-1) (phone)**

Richa, a Ward 1 resident, spoke in support of the proposed Right to Renew Ordinance, C-1.

7. **Michelle Hughes - Resolution to Require Masks at City Council Meetings Consistent with CDC Guidance (DC-5) (phone)**

Michelle Hughes, resident, spoke in opposition to DC-5 and urged Council to continue the mask mandate in the Council Chambers.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER DISCH

Councilmember Disch updated Council and the public regarding upcoming virtual public meetings with MDOT regarding proposed changes to the M-14 ramp at Barton Drive.

COUNCILMEMBER GRISWOLD

Councilmember Griswold stated she was in New York City last week and observed that city's compliance with the ADA. She stated she plans to bring forward a resolution to address dark crosswalks.

COUNCILMEMBER NELSON

Councilmember Nelson provided updates regarding projects in Ward 4., including the ongoing Scio Church Road improvement project, an upcoming engagement meeting regarding the Stimson project and a virtual meeting regarding the State and Hill Streets improvements.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about several community events he attended over the weekend, including the 40th anniversary of St. Andrews Church breakfast.

COUNCILMEMBER SONG

Councilmember Song spoke about an event by Survivors Speak regarding race relations.

MC COMMUNICATIONS FROM THE MAYOR**MC-1** [22-1428](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented to Council at the September 6, 2022 Regular Session:

*Design Review Board
Wendy Rampson
Term Ending: May 31, 2025*

*Energy Commission
Gabriel Harp
Term Ending: May 31, 2025*

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

MC-2 [22-1523](#) Nominations and Appointments for September 19, 2022

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

*Downtown Area Citizens Advisory Council
Angela Frances Peat
Term Ending: May 31, 2025*

*Energy Commission
Mike Berkowitz - Partial Term
Term Ending: May 31, 2025*

Referred to the City Council due back on 10/3/2022**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-6 Resolution to Remove Parking on Division Street between Hoover Street and Packard Street

CA-8 Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00) (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Griswold, seconded by Councilmember Grand, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirements of CA-11 and CA-14.

- CA-1** [22-1317](#) Resolution to Approve the Purchase of Ice Control Salt through the Michigan Delivering Extended Agreements Locally (MiDEAL) from the Detroit Salt Company for Early Fill (\$86,675.00) and for Seasonal Backup Supply (\$215,600.00)
- CA-2** [22-1375](#) Resolution to Approve a Two (2) Year Purchasing Agreement with Cadillac Asphalt, LLC for Bituminous Patching Materials, ITB-4724 (\$136,500.00 Annually)
- CA-3** [22-1425](#) Resolution to Approve a Two (2) year Purchasing Agreement for Aggregate Materials and Hauling Services for Excavation and Street Sweeping Waste from Farmer & Underwood Trucking, Ltd., ITB-4723 (\$280,780.95 annually)
- CA-4** [22-1434](#) Resolution to Approve a Construction Contract with Cascade Drilling, Limited Partnership for Sentinel Monitoring Well Installation (RFP 22-36) (\$332,695.00)

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- CA-5** [22-1429](#) Resolution to Approve a Construction Contract with Monroe Plumbing and Heating Company for the Sodium Hypochlorite Storage Tank Replacement (RFP 22-43)(\$640,980.00)
- CA-7** [22-1452](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Hubbell, Roth and Clark, Inc. (HRC) for As-Needed Transportation Engineering Services
- CA-9** [22-1477](#) Resolution to Approve a Construction Contract with the Michigan Department of Transportation for the Huron Parkway and Glazier Way Capital Preventative Maintenance Project (\$938,000.00)
- CA-10** [22-1437](#) Resolution to Approve the Second Amendment to the Master Service and Purchasing Agreement with Axon Enterprise, Inc. for the Purchase of a Virtual Reality Training System, Five-Year Quote (\$114,225)
- CA-11** [22-1503](#) Resolution to Accept and Appropriate Funds from the Michigan Office of Environment, Great Lakes, and Energy (EGLE) for the Purchase and Installation of 3 Utility Pole Mounted FLO SmartTWO EV Chargers (\$54,000) **(8 Votes Required)**
- CA-12** [22-1448](#) Resolution to Approve the Purchase of Vehicles from National Auto Fleet Group (Sourcewell Bid - \$111,308.00)
- CA-13** [22-1449](#) Resolution to Approve the Purchase of Vehicles from Signature Ford (State of Michigan MiDeal and Macomb County Cooperative Purchasing - \$627,019.00)
- CA-14** [22-1512](#) Resolution to Accept a Water Main Easement at 545 S. Main Street from 545 South Main LLC **(8 Votes Required)**
- CA-15** [22-1436](#) Resolution to Approve University Inn Development Agreement, 2424 E. Stadium (CPC approved the site plan: Approval - 8 Yeas and 0 Nays)
- CA-6** [22-1453](#) Resolution to Remove Parking on Division Street between Hoover Street and Packard Street

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

- CA-8** [22-1465](#) Resolution to Approve a Professional Services Agreement with Sam Schwartz Consulting, LLC (RFP 22-57; \$134,271.00) and Appropriate Funds for the State Trunkline Jurisdiction Transfer Study (\$160,000.00) **(8 Votes Required)**

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, not satisfying the eight-vote requirement:

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

Nays: 4 - Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and 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.

- PH-1** [22-1148](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.15 Acres from C1B (Community Convenience Center District) to PUD (Planned Unit Development District), 340 Depot Zoning and Supplemental Regulations, 340 Depot (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-22-14)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.15 Acres from C1B (Community Convenience Center District) to PUD (Planned Unit Development District), 340 Depot Zoning and Supplemental Regulations, located at 340 Depot Street. Notice of public hearing was published August 25, 2022.

The following persons were present to speak at the hearing:

Ken Garber, resident, expressed concern about the lack of commitment to the City's sustainability goals.

Tom Stulberg, resident, expressed concern about the project.

There being no further comment, the Mayor declared the hearing closed.

Held and Closed

- PH-2** [22-1154](#) Resolution to Approve 340 Depot PUD Site Plan, 340 Depot Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 340 Depot PUD Site Plan, 340 Depot Street. Notice of public hearing was published September 11 and September 15, 2022.

The following persons were present to speak at the hearing:

*Ken Garber
Tom Stulberg*

There being no further comment, the Mayor declared the hearing closed.

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 [22-1530](#) Regular Session Meeting Minutes of September 6, 2022

A motion was made by Councilmember Ramlawi, seconded by Councilmember Disch, that the Regular Session Meeting Minutes of September 6, 2022 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [22-1148](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.15 Acres from C1B (Community Convenience Center District) to PUD (Planned Unit Development District), 340 Depot Zoning and Supplemental Regulations, 340 Depot (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-22-14)

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

DB New Business - Boards and Commissions:

DB-1 [22-1154](#) Resolution to Approve 340 Depot PUD Site Plan, 340 Depot Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

C ORDINANCES - FIRST READING

C-1 [22-1468](#) An Ordinance to Amend Section 8:530 and Add Section 8:531 to Chapter 105 (Housing Code) of Title VIII of the Ann Arbor City Code - (Right to Renew and Relocation Assistance) (ORD-22-15)

A motion was made by Councilmember Nelson, seconded by Councilmember Radina, that the Ordinance be approved on First Reading.

Councilmember Radina moved a proposed substitute Ordinance for consideration of Council. The amendment was supported by Councilmember Nelson. The consideration of the substitute ordinance was considered friendly by the Body.

Amended

The question being, the motion that was made by Councilmember Nelson, seconded by Councilmember Radina, that the Ordinance be approved on First Reading and should be returned by 10/3/2022. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC **Unfinished Business - Council:**

DC-1 [22-1443](#) Resolution to Appoint Claire McKenna to the Energy Commission (**7 Votes Required**)

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

DC-2 [18-1821](#) Resolution to Accept an Access Easement, Appropriate \$47,710.00 from the General Fund, and Approve Reimbursement of Road Maintenance Costs to the Dhu Varren on the Park Association (**8 Votes Required**)

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

DC New Business - Council:

DC-3 [22-1554](#) Resolution to Accept and Appropriate Michigan Strategic Funds and Approve Certified Local Government Grant Agreement for the City of Ann Arbor Old Fourth Ward Historic District Reconnaissance-Level Survey Update (\$45,000.00) (**8 Votes Required**)

A motion was made by Councilmember Hayner, 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-4 [22-1579](#) Resolution to Restrict Turns on Red Downtown

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

Council requested additional information from staff, including a review of the resolution using an equity lens, current crash data and proposed police enforcement plans.

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the Resolution be postponed until 10/3/2022. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Hayner

DC-5 [22-1586](#) Resolution to Require Masks at City Council Meetings Consistent with CDC Guidance

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

A motion was made by Councilmember Nelson, seconded by Councilmember Hayner, that the Resolution be postponed

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

Yeas: 4 - Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

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

22-1586 Resolution to Require Masks at City Council Meetings Consistent with CDC Guidance

Councilmember Griswold moved, seconded by Councilmember Eyer, that the Resolution be amended as follows:

Whereas, We rely on the Washtenaw County Health Department to determine local transmission levels;

The amendment was considered friendly by the Body.

Amended

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

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

Nays: 3 - Councilmember Hayner, Councilmember Nelson and Councilmember Ramlawi

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).

None.

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 Eyer, 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** [22-1510](#) Moksha Menghaney- Resignation from the Energy Commission.
- E-2** [22-1519](#) Ji Hye Kim - Resignation from the Downtown Development Authority.
- E-3** [22-1543](#) Camilla Lizundia- Resignation from the Center of the City-Council of the Commons.

F The following minutes were received for filing:

- F-1** [22-0556](#) LDFA Board Meeting Minutes - January 27, 2022
- F-2** [22-0782](#) LDFA Board Meeting Minutes - March 24, 2022
- F-3** [22-1006](#) Center of the City - Council of the Commons Meeting Minutes April 7, 2022
- F-4** [22-1178](#) Center of the City - Council of the Commons Minutes June 2, 2022
- F-5** [22-1243](#) June 7, 2022 City Planning Commission Meeting Minutes
- F-6** [22-1244](#) July 6, 2022 City Planning Commission Meeting Minutes
- F-7** [22-1340](#) Elizabeth Dean Fund Committee July 12, 2022 Meeting Minutes
- F-8** [22-1350](#) LDFA Meeting Minutes July 28, 2022
- F-9** [22-1362](#) Minutes of the July 26, 2022 Renters Commission Meeting
- F-10** [22-1470](#) Insurance Board Meeting Minutes - August 25, 2022
- F-11** [22-1210](#) June 9, 2022 Historic District Commission Meeting Minutes

G COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Atleen Kaur updated Council on the recent Court of Appeals ruling regarding the Gelman case. She stated the Attorney's Office is looking into the City's options.

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.**

Michelle Hughes, resident, expressed disappointment in the reduced masking requirements. She stated everyone should wear a mask in public.

Adam Goodman, resident, stated his disappointment in those who dissented on the CA-8 vote, noting that it is extremely dangerous to cross Jackson Road.

Luis Vasquez, resident, spoke about the vote on CA-8.

Adam Jaskiewicz, resident, stated he was disappointed in the vote on CA-8 and the removal of the mask mandate in Council Chambers.

Tom Stulberg, resident, encouraged residents to look at the proposed designs for M-14 at Barton Drive.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER HAYNER**

Councilmember Hayner spoke about an upcoming Ann Arbor Fire Department event. He also wished farewell to Beth Collins, a longtime city resident and member of CARD.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked the City Attorney's Office for their work on the Gelman lawsuit. She stated the City has several options moving forward.

COUNCILMEMBER SONG

Councilmember Song urged residents to consider applying for a County Board or Commission.

ADJOURNMENT

A motion was made by Councilmember Radina, seconded by Councilmember Eyer, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried at 10:18 p.m.

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

**LIVE: MONDAY, SEPTEMBER 19, 2022 @ 7:00 P.M.
REPLAY: FRIDAY, SEPTEMBER 23, 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**

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.