

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Draft

Monday, January 3, 2022

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
Public commentary can be made in person or by calling: 877 853

Chambers
5247 or 888 788 0099

City Council

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:04 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

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:** 9 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Jen Eyer and Councilmember Travis Radina
- Absent:** 2 - Councilmember Jeff Hayner and Councilmember Linh Song

PROPOSED ITEMS TO BE ADDED TO THE AGENDA

[22-0024](#) Resolution in Support of Virtual Meetings under the OMA and SB-0705 and SB-0792

Sponsors: Griswold and Radina

APPROVAL OF AGENDA

A motion was made by Councilmember Eyer, seconded by Councilmember Griswold, that the Agenda be approved.

APPROVAL OF AGENDA

A motion was made by Councilmember Griswold, seconded by Councilmember Eyer, that the Agenda be approved with the following changes:

Add:

DC-4 Resolution in Support of Virtual Meetings under the OMA and SB-0705 and SB-0792

On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 [22-0004](#) Response to R-21-129 - Resolution Directing the City Administrator to Develop an Unarmed Public Safety Response Program

Received and Filed

AC-2 [22-0008](#) Pedestrian Safety Improvements Around Schools

Received and Filed

AC-3 [22-0016](#) City Administrator’s Report - January 3, 2022

Received and Filed

AC-4 [22-0017](#) South Main Street Reconfiguration - Pilot Extension

Received and Filed

AC-5 [22-0018](#) Analysis of Trunkline Transfer from MDOT to Ann Arbor

Received and Filed

AC-6 [22-0023](#) Agenda Response Memo and eComments - January 3, 2022

Received and Filed

INT INTRODUCTION

INT-1 [21-2254](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update

Dr. Lisa Jackson, Chair of the Independent Community Police Oversight Commission, provided her monthly update to City Council on the work of the Commission.

Received and Filed

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. Henry Herskovitz - Jewish Power (in-person speaker)

Henry Herskovitz, resident, spoke about Jewish power.

2. Mozghan Savabieasfahani - Why I am Running for City Council (in-person speaker)

Mozghan Savabieasfahani, Ward 4, stated she plans to run for City Council this year.

3. Blaine Coleman - We are Against Military Aid to Israel (in-person speaker)

Blaine Coleman, resident, spoke in opposition to military aid to Israel.

4. Glenn Nelson - Resolution Directing the City Administrator to Develop an Unarmed Public Safety Response Program (AC-1) (electronic speaker)

Glenn Nelson, resident, applauded the City's efforts to create an unarmed response program to address mental health needs.

5. **Michelle Hughes - Ordinance to Repeal and Replace Section 9:62 of Chapter 108 (Disorderly Conduct) of Chapter IX (Police Regulations) (C-1) (electronic speaker)**
Michelle Hughes, resident, spoke about the need for an unarmed response unit to address trans-gender needs in the community.

6. **Thomas Stulberg - Resolution to Improve Pedestrian Safety at Crosswalks (DC-1) (electronic speaker)**
Mayor's Office Appointment Confirmations (MC-1)
Thomas Stulberg, of Lower Town, thanked Councilmember Griswold for bringing DC-1 to Council.

7. **Anne Bannister - Resolution to Improve Pedestrian Safety at Crosswalks (DC-1) (electronic speaker)**
Not present.

8. **Kathleen Murphey - Energy Commission Resolution Recommending City Council Authorize a Municipal Utility Feasibility Study (E-2) (electronic speaker)**
Kathleen Murphey, resident, spoke in support of a City-owned electric utility.

9. **Gus Teschke - Energy Commission Resolution Recommending City Council Authorize a Municipal Utility Feasibility Study (E-2) (electronic speaker)**
Gus Teschke, resident, spoke in support of a City-owned electric utility.

10. **Sean Higgins - Energy Commission Resolution Recommending City Council Authorize a Municipal Utility Feasibility Study (E-2) (electronic speaker)**
Sean Higgins, resident, spoke in support of a City-owned electric utility.

Alternates:

1. **Ralph McKee - The December 30th MLive Article Regarding City Government (electronic speaker)**
Ralph McKee, Ward 5, expressed concern with Council's current behaviors and attitude.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER RADINA

Councilmember Radina recognized the passing of long-time LGBTQ advocate, Jim Toy.

COUNCILMEMBER GRAND

Councilmember Grand recognized the retirement of Colin Smith, the City's Parks and Recreation Director.

Councilmember Grand spoke about the City's new 4-year Council terms, noting that she will not be seeking a new term in 2022.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [21-2262](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointments that were presented at the December 20, 2021 Regular Session of Council:

Employees' Retirement System Board of Trustees

Alexa Nerdrum-Reappointment

1530 Edinborough Rd.

Ann Arbor, MI 48104

Term: Ending December 31, 2024

Historic District Commission

Beverly Willis-Partial Term

3223 Homestead Commons Drive

Ann Arbor, MI 48108

Term: Ending May 31, 2023

Transportation Commission

Megan Brovan-Partial Term

522 N. Division St.

Ann Arbor, MI 48104

Term: Ending May 31, 2022

Suzette Wanninkhof-Partial Term

225 Murray Ave.

Ann Arbor, MI 48103

Term: Ending May 31, 2023

Economic Development Corporation

Councilmember Eyer-Partial Term

Nonvoting Position

Term: Ending May 31, 2027

A motion was made by Councilmember Grand, seconded by Councilmember Radina, that the Appointments 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 Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Griswold

Absent: 2 - Councilmember Hayner and Councilmember Song

MC-2 [22-0005](#) Appointments - Confirmations

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

Downtown Area Citizens' Advisory Council

John Splitt

207 W. William St.

Ann Arbor, Michigan 48104

Term End Date: May 31, 2024

Housing Board of Appeals

Todd Ciesielski

403 Snyder Avenue

Ann Arbor, Michigan 48103

Term End Date: May 31, 2023

Robin Grosshuesch

719 Spring Street

Ann Arbor, Michigan 48103

Term End Date: May 31, 2023

Referred to the City Council due back on 1/18/2022

CA CONSENT AGENDA

Passed on consent agenda

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

CA-1 21-2215 Enactment No: R-22-001 Approved

Resolution to Approve the City's Contract with Delta Dental Plan of Michigan, Inc., for Claims Administration Services for the City's Dental Plan through December 31, 2024 (\$713,834 in 2022, \$785,217 in 2023, and \$866,276 in 2024)

CA-2 21-2244 Enactment No: R-22-002 Approved

Resolution to Approve the Renewal of the City’s Contract with Blue Cross Blue Shield of Michigan to Provide Administrative Claims Processing Services and Related Stop-Loss Insurance Coverage Through BCS Insurance Company for the City’s Health Care Plan on Behalf of Employees and Retirees and Their Dependents, and to Authorize the City Administrator to Execute the Necessary Documentation (\$2,165,695)

CA-3 21-2276 Enactment No: R-22-003 Approved

Resolution to Approve Deficit Elimination Plan as of June 30, 2021 for the Alternative Transportation Fund

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 **21-1956** An Ordinance to Amend Sections 5.22.3 (Storm Water Management and Soil Erosion) and 5.29.6 (Site Plans) of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (ORD-21-37)

A public hearing was conducted on the proposed amendment to Sections 5.22.3 (Storm Water Management and Soil Erosion) and 5.29.6 (Site Plans) of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (ORD-21-37). Notice of public hearing was published on December 16, 2021.

The following persons were present to speak at the hearing:

Abdulrahman Ateya, resident, spoke in support of the proposed ordinance, stating the need for more affordable housing.

Michelle Hughes, resident, spoke in support.

James D'Amour, resident, spoke in opposition, stating Council approval of site plans is necessary.

Adam Jaskiewicz, resident, spoke in support.

Anne Bannister, former Ward 1 Councilmember, expressed concern with the current draft of the ordinance.

Luis Vasquez, Ward 1, spoke in support of the ordinance, stating the City currently has a housing crisis.

Eric Lipson, Ward 4, concurred with previous speakers, stating Council oversight of the process is needed.

Tom Stulberg, resident, spoke in opposition.

Seeing no further persons present to speak, Mayor Taylor declared the hearing closed.

Held and Closed

PH-2 [21-2060](#) An Ordinance to Amend Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (ORD-21-41)

Sponsors: Eyer, Radina and Taylor

A public hearing was conducted on the proposed amendment to Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (ORD-21-41). Notice of public hearing was published December 30, 2021.

The following persons were present to speak at the hearing:

Michelle Hughes, resident, spoke in support of the ordinance amendments, stating she supported the Charter amendment as well.

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

Held and Closed

PH-3 [21-2268](#) Public Hearing to Consider the Establishment of an Industrial Development District at 3874, 3990, 3886, 3994, 3950, and 3958 Research Park Drive for Land Currently Owned by Sartorius BioAnalytical Instruments, Inc.

A public hearing was conducted on the proposed Establishment of an Industrial Development District at 3874, 3990, 3886, 3994, 3950, and 3958 Research Park Drive for Land Currently Owned by Sartorius BioAnalytical Instruments, Inc. Notice of public hearing was published on December 16, 2021.

The following persons were present to speak at the hearing:

Phil Santer, of Ann Arbor Spark, spoke in support of the proposed development district.

Cam McCausland, of Sartorius LLC, spoke in support of the project.

Seeing no one further present for comment, the Mayor declared the hearing closed.

Held and Closed

A APPROVAL OF COUNCIL MINUTES

- A-1 [21-2269](#) Work Session of December 13 and Regular Session Meeting Minutes of December 20, 2021

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that the Work Session of December 13 and Regular Session Meeting Minutes of December 20, 2021 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1 [21-1956](#) An Ordinance to Amend Sections 5.22.3 (Storm Water Management and Soil Erosion) and 5.29.6 (Site Plans) of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (ORD-21-37)

A motion was made by Councilmember Disch, seconded by Councilmember Grand, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 2 - Councilmember Nelson and Councilmember Ramlawi

Absent: 2 - Councilmember Hayner and Councilmember Song

- B-2 [21-2060](#) An Ordinance to Amend Chapter 14 (Purchasing, Contracting and Selling Procedure) of Title I of the Code of the City of Ann Arbor (ORD-21-41)

Sponsors: Eyer, Radina and Taylor

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

C ORDINANCES - FIRST READING

- C New Business - Staff:**

C-1 **21-2255** An Ordinance to Repeal and Replace Section 9:62 of Chapter 108 (Disorderly Conduct) of Title IX (Police Regulations) of the Code of the City of Ann Arbor

A motion was made by Councilmember Grand, seconded by Councilmember Radina, that the Ordinance be approved on First Reading and should be returned by 1/18/2022. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-22-01

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 22-0012 Enactment No:

Sponsors: Griswold

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

Resolution to Improve Pedestrian Safety at Crosswalks with Reliable Illumination in the Short Term and Optimal LED Streetlights Within 5 Years

22-0012 Enactment No: Postponed

A motion was made by Councilmember Griswold, seconded by Councilmember Radina, that the Resolution be postponed until January 18, 2022. On a voice vote, the Mayor declared the motion defeated.

Resolution to Improve Pedestrian Safety at Crosswalks with Reliable Illumination in the Short Term and Optimal LED Streetlights Within 5 Years

22-0012 Enactment No: Lay on the table

A motion was made by Councilmember Griswold, seconded by Councilmember Ramlawi, that the Resolution be tabled on the advice of the City Attorney. 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 Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Eyer and Councilmember Radina

Nays: 0

Absent: 2 - Councilmember Hayner and Councilmember Song

Resolution to Improve Pedestrian Safety at Crosswalks with Reliable Illumination in the Short Term and Optimal LED Streetlights Within 5 Years

DC-2 22-0013 Enactment No: R-22-004 Approved

Sponsors: Council Administration Committee

A motion was made by Councilmember Grand, seconded by Councilmember Disch, that the Resolution be approved. 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 Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Eyer and Councilmember Radina

Nays: 0

Absent: 2 - Councilmember Hayner and Councilmember Song

Resolution to Approve Succession and Retention Agreement with Stephen K. Postema

DC-3 22-0015 Enactment No: R-22-005 Approved

Sponsors: Taylor, Eyer and Radina

A motion was made by Councilmember Eyer, seconded by Councilmember Radina, 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 Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Eyer and Councilmember Radina

Nays: 1 - Councilmember Griswold

Absent: 2 - Councilmember Hayner and Councilmember Song

Resolution to Waive Attorney Client Privilege as to Attorney Salvatore Report and to Make the Report Public

DC-4 22-0024 Enactment No: R-22-006 **Approved**

Sponsors: Griswold and Radina

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

Resolution in Support of Virtual Meetings under the OMA and SB-0705 and SB-0792

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).

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 Disch, 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 [21-2260](#) Energy Commission Resolution Recognizing the DDA for its Decarbonization and Sustainability

E-2 [21-2261](#) Energy Commission Resolution Recommending Ann Arbor City Council Authorize a Municipal Utility Feasibility Study and Initiate Work Towards Creation of a Municipal Sustainable Energy Utility (SEU)

E-3 [21-2273](#) Communication from Michigan Governor Gretchen Whitmer regarding City of Ann Arbor Charter Amendment Proposals for the November 8, 2022 Election

E-4 [22-0003](#) Geoffrey Perkins - Resignation from the Building Board of Appeals

F **The following minutes were received for filing:**

F-1 [21-1272](#) June 10, 2021 Historic District Commission Meeting Minutes

F-2 [21-1481](#) July 8, 2021 Historic District Commission Meeting Minutes

F-3 [21-2054](#) Minutes of the October 19, 2021 PAC Meeting

F-4 [21-2211](#) HRC November Meeting Minutes

F-5 [22-0002](#) Council Administration Committee Minutes - November 9, 2021

G **COMMUNICATIONS FROM THE CITY ATTORNEY**

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.**

Petals Sandcastle, downtown business owner, thanked Council for their work.

Abdulrahman Ateya, resident, thanked Council for looking at items, AC-2 and AC-5.

Ken Garber, resident, clarified an earlier comment about the Planning Commission's vote on "The One" site plan.

Tom Stulberg, resident, spoke about Council behavior and party labels.

Luis Vasquez, Ward 1, thanked City Attorney Stephen Postema for his many years of service.

Zeke James spoke on behalf of the sex industry and urged Ann Arbor to consider decriminalization.

Ralph McKee, resident, spoke about Council behavior.

Eric Lipson, Ward 4, thanked City Attorney Postema for his years of service.

Eric Sturgis, resident, thanked Councilmember Nelson for creating a vote chart to keep track of Council action.

Brandon Dimcheff, resident, urged Council to wear N95 masks at in-person meetings.

Adam Goodman, Ward 5, spoke about crosswalk safety.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER RAMLAWI*

Councilmember Ramlawi thanked the public for their comments.

COUNCILMEMBER DISCH

Councilmember Disch corrected her previous remarks regarding the votes taken on "The One" site plan.

Councilmember Disch reported that an \$800,000 grant had been awarded for improvements at the City's Drop-Off Station.

COUNCILMEMBER RADINA

Councilmember Radina announced his upcoming Ward 3 coffee hour with Councilmember Grand.

Councilmember Radina also highlighted several resolutions from the Energy Commission on the Clerk's Report.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked Mr. Postema for his work recruiting Mr. Dohoney.

Councilmember Griswold provided an update regarding the UM Master Plan for north campus.

ADJOURNMENT

A motion was made by Councilmember Griswold, seconded by Councilmember Nelson, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:15 p.m.

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

LIVE: MONDAY, JANUARY 3, 2021 @ 7:00 P.M.

REPLAY: FRIDAY, JANUARY 7, 2021 @ 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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