

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes - Draft

Monday, March 20, 2023

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 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

Councilmember Eyer arrived at 7:03 p.m.

Present: 11 - 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, Councilmember Dharma Akmon and Councilmember Jennifer Cornell

APPROVAL OF AGENDA

A motion was made by Councilmember Akmon, seconded by Councilmember Cornell, 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 and reported on the following:

Response from the most recent storm continues. Mr. Dohoney reported on the City's efforts regarding tree branch and limb pick-up in response to the storms.

AC-1 [23-0502](#) Agenda Response Memo and eComments - March 20, 2023

Received and Filed

AC-2 [23-0527](#) City Administrator's Report - March 20, 2023

Received and Filed

INT INTRODUCTIONS

INT-1 [23-0475](#) Proclamation of March 2023 as Social Work Month

Mayor Taylor read a proclamation recognizing March as Social Work Month.

A copy of the proclamation is on file in the City Clerk's Office.

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. Larry Junck - Resolution Directing the City Administrator to Negotiate a New Natural Gas Franchise (CA-20) (in person)**

Larry Junck, resident, spoke in support of CA-20, regarding a new natural gas franchise, stating the City should move away from dependence on DTE.

- 2. Vincent Caruso - 415 W. Washington Rezoning (C-1) (phone)**

Vincent Caruso, resident, spoke in opposition to C-1 and the development of housing on this site.

- 3. Kitty Kahn - 415 W. Washington Rezoning (C-1) (phone)**

Kitty Kahn, resident, spoke in opposition to C-1, stating it is not appropriate for the Old West Side historic district.

- 4. Adam Goodman - 415 W. Washington Rezoning (C-1) (phone)**

Adam Goodman, resident, spoke in support of C-1.

- 5. Larry Deck - Resolution Regarding Amendment No. 5 for the East Medical Center Drive Bridge Project (CA-17) (in person)**

Larry Deck, resident, spoke about the East Medical Center Drive Bridge project.

6. **Blaine Coleman - We Are Against Military Aid to Israel (in person)**
Blaine Coleman, resident, spoke against military aid to Israel.

7. **Mozhgan Savabieasfahani - We Are Against Military Aid to Israel (in person)**
Mozhgan Savabieasfahani, resident, urged Council to pass a resolution in support of Palestine.

8. **Tom Stulberg - 415 W. Washington Rezoning (C-1) (phone)**
Tom Stulberg, resident, spoke in opposition to the rezoning of 415 W. Washington, Item C-1.

9. **Rita Ross - Earhart Road 2023 Project (phone)**
Rita Ross, representing 174 Earhart Road homeowners, spoke in opposition to the proposed sidewalk project on Earhart Road.

10. **Kathy Boris - 415 W. Washington Rezoning (C-1) (phone)**
Kathy Boris, resident, expressed concern about the redevelopment of 415 W. Washington, stating that the property is within the floodplain.

11. **Patricia Jackson - Earhart Road 2023 Project (phone)**
Patricia Jackson was not present.

12. **Muffie MacKenzie - 415 W. Washington Rezoning (C-1) (phone)**
Muffie MacKenzie, resident, expressed concern about the proposed rezoning.

CC COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER GHAZI EDWIN*

Councilmember Ghazi Edwin thanked Mayor Taylor for recognition of Social Work Month.

COUNCILMEMBER SONG

Councilmember Song thanked City staff for their response efforts related to the recent storms and power outages. She thanked those staff members who helped support setting up temporary warming shelters.

COUNCILMEMBER EYER

Councilmember Eyer spoke about the Ann Arbor Public Schools PTO Council and their current joint fundraising efforts. The latest fundraiser will support Title 1 schools in the district.

COUNCILMEMBER AKMON

Councilmember Akmon reported about her recent meeting with undergraduate students from UM and their interest in participating in local issues like transportation and climate action.

COUNCILMEMBER WATSON

Councilmember Watson stated the Natural Area Preservation's volunteer steward days are starting back up. The next project will be in Ward 2 this coming Saturday.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [23-0355](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following appointment that was presented to Council at the March 6, 2023 Regular Session:

*Commission on Disability Issues
Rosanita Ratcliff - Partial Term
Term Ending - May 31, 2024*

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

MC-2 [23-0480](#) Appointments - Confirmations

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

*Board of Review
Anne Harlow
Term ending: January 31, 2026*

Referred to the City Council due back on 4/3/2023

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-18 Resolution to Approve Amendment No. 1 to the Right-of-Way License Agreement with Spin, Inc., for the Operation of Electric Scooters and Electric Bicycles in the City of Ann Arbor

CA-19 Resolution to Approve Amendment Number 1 to the Professional Services Agreement between Ann Arbor SPARK and the City of Ann Arbor for Economic Development Services (\$24,500 Amendment, \$99,500 Contract Total)

CA-20 Resolution Directing the City Administrator to Negotiate a New Natural Gas Franchise

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Watson, 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-4, CA-7 and CA-8.

CA-1 [23-0408](#) Enactment No: R-23-082

Resolution to Approve Street Closures for MUSIC Matters SpringFest from 3:00 A.M. on Friday, April 14, 2023 until 11:00 P.M.

CA-2 [23-0412](#) Enactment No: R-23-083 **Approved**

Resolution to Approve the Closing of Streets for the 2023 Glacier Highlands Neighborhood Association Annual Memorial Day Parade, Monday, May 29, 2023

CA-3 [23-0333](#) Enactment No: R-23-084 **Approved**

Resolution to Approve a Land and Water Conservation Grant Application to the Michigan Department of Natural Resources Grants Management for Improvements at the Buhr Park Ice Arena

CA-4 [23-0331](#) **Enactment No:** **R-23-085** **Approved**

Resolution to Enter a Lease with Huron River Holdings, LLC for Seasonal Parking for Argo Park (\$102,031.00 / 6 yrs.) (8 Votes Required)

CA-5 [23-0279](#) **Enactment No:** **R-23-086** **Approved**

Resolution to Approve a Purchase Order to Amerinet of Michigan, Inc. for the Purchase of Networking Equipment, Software, and Related Services to Replace Legacy Justice Center Building Network Equipment and Upgrade the Justice Center Building Network to a Fabric Connected Network (\$132,850.18) (GSA Schedule IT 70 - GS-35F-0511T)

CA-6 [23-0280](#) **Enactment No:** **R-23-087** **Approved**

Resolution to Approve a Purchase Order to AmeriNet of Michigan, Inc. for the purchase of Extreme Networks Wireless Networking Equipment, Software, and Related Services to Replace legacy Cisco Wireless Equipment (\$102,621.00) (GSA Schedule IT 70 - GS-35F-0511T)

CA-7 [23-0313](#) **Enactment No:** **R-23-088** **Approved**

Resolution to Approve a \$3,500,000 American Rescue Plan Act Subrecipient Grant for the Acquisition of 8 duplexes on Liberty, Virginia and Siller Terrace by the Ann Arbor Housing Development Corporation for Affordable Housing (\$3,500,000.00) (8 Votes Required)

CA-8 [23-0315](#) **Enactment No:** **R-23-089** **Approved**

Resolution to Transfer Ownership of 121 E. Catherine to the Ann Arbor Housing Development Corporation (\$1.00) (8 Votes Required)

CA-9 [23-0314](#) **Enactment No:** **R-23-090** **Approved**

Resolution to Approve a Tax Exemption for the Ann Arbor Housing Development Corporation's Affordable Housing Project at 121 E Catherine and Payment of a Service Charge in Lieu of Taxes

CA-10 [23-0244](#) **Enactment No:** **R-23-091** **Approved**

Resolution Authorizing Water Capital Recovery Charges for 3090 Geddes Av. (\$5,274.00)

CA-11 [23-0245](#) **Enactment No:** **R-23-092** **Approved**

Resolution Authorizing Sanitary Sewer Capital Recovery Charges for 3090 Geddes Av. (\$25,954.00)

CA-12 [23-0357](#) **Enactment No:** **R-23-093** **Approved**

Resolution Authorizing Water Capital Recovery Charges for 190 Orchard Hills Ct. (\$2,696.00)

CA-13 [23-0335](#) **Enactment No:** **R-23-094** **Approved**

Resolution to Authorize a Sole Source Purchase Order to Michigan Lighting Systems East, LLC (MLS East) in the amount of \$43,050.00 for Spring City Street Light Poles and Associated Fixtures and Luminaires

CA-14 [23-0092](#) **Enactment No:** **R-23-095** **Approved**

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Wade Trim Associates, Inc. for the State and Hill Streets Improvements Project (\$385,780.00 Amendment, \$834,814.00 Contract Total)

CA-15 [23-0183](#) **Enactment No:** **R-23-096** **Approved**

Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the Broadway Water Main and Resurfacing Project (\$3,242,493.43)

CA-16 [23-0326](#) **Enactment No:** **R-23-097** **Approved**

Resolution to Approve a Construction Contract with Fonson Company, Inc. for the 2023 Miscellaneous Utility Projects (\$4,203,293.63)

CA-17 [23-0370](#) **Enactment No:** **R-23-098** **Approved**

Resolution to Approve Amendment No. 5 to the Professional Services Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$ 615,216.72 increase, total contract \$ 1,685,347.40) (RFP 21-20)

CA-18 [23-0290](#) Enactment No: R-23-099 **Approved**

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

Resolution to Approve Amendment No. 1 to the Right-of-Way License Agreement with Spin, Inc., for the Operation of Electric Scooters and Electric Bicycles in the City of Ann Arbor

CA-19 [23-0440](#) Enactment No: R-23-100 **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 Approve Amendment Number 1 to the Professional Services Agreement between Ann Arbor SPARK and the City of Ann Arbor for Economic Development Services (\$24,500 Amendment, \$99,500 Contract Total)

CA-20 [23-0382](#) Enactment No: R-23-101 **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 Directing the City Administrator to Negotiate a New Natural Gas Franchise

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** [23-0047](#) An Ordinance to Amend Sections 2:1, 2:2, 2:5, and 2:9 of Chapter 26 (Solid Waste) of Title II (Solid Waste) of the Code of the City of Ann Arbor (ORD-23-07)

A public hearing was conducted on the proposed Ordinance to Amend Sections 2:1, 2:2, 2:5, and 2:9 of Chapter 26 (Solid Waste) of Title II (Solid Waste) of the Code of the City of Ann Arbor (ORD-23-07).

Notice of public hearing was published March 9, 2023.

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

Held and Closed

- PH-2** [23-0299](#) An Ordinance to Amend Chapter 11 (Risk Fund) and Repeal Section 1:193 of Chapter 8 (Organization of Boards and Commissions) of Title I of the Code of the City of Ann Arbor (ORD-23-09)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 11 (Risk Fund) and Repeal Section 1:193 of Chapter 8 (Organization of Boards and Commissions) of Title I of the Code of the City of Ann Arbor (ORD-23-09).

Notice of public hearing was published March 9, 2023.

Ralph McKee, Ward 5, spoke about the history of the Risk Fund and his experience.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

- A-1** [23-0430](#) Regular Session Meeting Minutes of March 6, 2023

A motion was made by Councilmember Watson, seconded by Councilmember Radina, that the Regular Session Meeting Minutes of March 6, 2023 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [23-0047](#) An Ordinance to Amend Sections 2:1, 2:2, 2:5, and 2:9 of Chapter 26 (Solid Waste) of Title II (Solid Waste) of the Code of the City of Ann Arbor (ORD-23-07)

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

- B-2** [23-0299](#) An Ordinance to Amend Chapter 11 (Risk Fund) and Repeal Section 1:193 of Chapter 8 (Organization of Boards and Commissions) of Title I of the Code of the City of Ann Arbor (ORD-23-09)

A motion was made by Councilmember Cornell, seconded by Councilmember Akmon, 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** [23-0277](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 2.5 Acres from PL (Public Land) to PUD (Planned Unit Development District), 415 West Washington PUD Zoning and Supplemental Regulations, 415 West Washington (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (ORD-23-10)

Councilmember Briggs requested staff develop language for the supplemental regulations that advances A2Zero Green Building Sustainability goals and results in an energy efficient, net-zero building or net-zero ready building.

A motion was made by Councilmember Cornell, seconded by Councilmember Briggs, that the Ordinance be approved on First Reading and should be returned by 4/17/2023. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-23-10

DC-2 [23-0478](#) Enactment No: R-23-103 Approved

Sponsors: Taylor and Harrison

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

Resolution to Request the Ann Arbor Public Art Commission to Establish a Project Plan to Redesign the City of Ann Arbor City Flag in Honor of the 2024 Bicentennial Celebration

DC-3 [23-0360](#) Enactment No: R-23-104 Approved

Sponsors: Taylor

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

Resolution to Approve a General Services Agreement between Waste Management of Michigan, Inc. and the City of Ann Arbor for Commercial Solid Waste Franchise Collection. (Estimated Cost for the City \$733,000.00, Total Estimated Contract Value \$14,660,000.00)

DC-4 [23-0487](#) Enactment No: R-23-105

Sponsors: Akmon, Briggs, Cornell, Eyer and Song

Councilmember Akmon moved, seconded by Councilmember Radina, that the Resolution be approved.

Resolution Directing the City Administrator to Provide City Council a Monthly Risk Fund Claims Review Report

[23-0487](#) Enactment No: R-23-105 Amended

Sponsors: Akmon, Briggs, Cornell, Eyer and Song

Amended

Resolution Directing the City Administrator to Provide City Council a Monthly Risk Fund Claims Review Report

Councilmember Eyer moved the following amendment, seconded by Councilmember Akmon:

Add New RESOLVED Clause:

RESOLVED, That the monthly Risk Fund claims review report will also be posted to a dedicated page on the city's website.

The amendment was considered friendly by the Body.

23-0487 Enactment No: R-23-105 Approved as Amended

The question being, the motion that was made by Councilmember Akmon, seconded by Councilmember Eyer, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

Resolution Directing the City Administrator to Provide City Council a Monthly Risk Fund Claims Review Report

DB Unfinished New Business - Boards and Commissions:

DB-1 23-0393 Enactment No:

Sponsors: Ghazi Edwin, Song, Harrison, Briggs and Radina

A motion was made by Councilmember Ghazi Edwin, supported by Councilmember Radina, that the Resolution be approved.

A Resolution Requesting the City Administrator to Engage with the Michigan Legislature and Michigan Public Service Commission to Advance Energy Equity and Resilience

23-0393 Enactment No: Postponed

A motion was made by Councilmember Ghazi Edwin, seconded by Councilmember Briggs, that the Resolution be postponed until 4/3/2023. On a voice vote, the Mayor declared the motion carried.

A Resolution Requesting the City Administrator to Engage with the Michigan Legislature and Michigan Public Service Commission to Advance Energy Equity and Resilience

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 Watson, 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** [23-0416](#) Frances Todoro-Hargreaves - Resignation from the Independent Community Police Oversight Commission (Resignation withdrawn)

- E-2** [23-0352](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) Regarding the Issuance and Completion of Permit No. WRP036547 - Ann Arbor Public Services - Sustainability

- E-3** [23-0371](#) 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-21245 Scheduled for March 21, 2023 - Sustainability - City Attorney

- E-4** [23-0354](#) Communication from Comcast Regarding Changes to Channel Lineup, Effective 3/28/2023 and 4/11/2023 - CTN, City Attorney

- E-5** [23-0490](#) Richa Mukerjee - Resignation from the Renters Commission

F The following minutes were received for filing:

- F-1 [22-1381](#) July 27, 2022 ZBA Meeting Minutes
- F-2 [22-1795](#) ICPOC October 2022 Meeting Minutes
- F-3 [23-0229](#) CODI January 2023 Meeting Minutes
- F-4 [23-0274](#) Center of the City - Council of the Commons Minutes February 2, 2023
- F-5 [23-0339](#) Insurance Board Meeting Minutes - February 23, 2023
- F-6 [23-0379](#) Downtown Development Authority Board, Executive, and Affordable Housing/Economic Development Committees Meeting Minutes for February 2023
- F-7 [23-0405](#) Downtown Area Citizens Advisory Council Meeting Minutes of February 28, 2023
- F-8 [23-0431](#) Ann Arbor Public Art Commission 2023 Annual Planning Meeting
- F-9 [23-0446](#) City/Schools Committee Minutes - March 10, 2022
- F-10 [23-0514](#) January 19, 2023 Council Policy Agenda Committee Final 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 Disch, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:31 p.m.

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

LIVE: MONDAY, MARCH 20, 2023 @ 7:00 P.M.

REPLAY: FRIDAY, MARCH 24, 2023 @ 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.

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.