City of Ann Arbor

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

Meeting Minutes - Draft

Monday, November 18, 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 Chambers
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

Present: 11 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Ayesha Ghazi Edwin, Councilmember Chris Watson, Councilmember Dharma Akmon, Councilmember Jennifer Cornell and Councilmember Jon Mallek

APPROVAL OF AGENDA

A motion was made by Councilmember Radina, seconded by Councilmember Watson, that the Agenda be approved. 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 24-1951 Agenda Response Memo and eComments - November 18, 2024

Received and Filed

AC-2 24-1977 City Administrator's Report - November 18, 2024

Received and Filed

INT INTRODUCTIONS

INT-1 24-1916 Downtown Development Authority (DDA) Update

Maura Thomson, DDA Executive Director, provided Council with the monthly update from the DDA. A copy of her presentation is on file with 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. Adam Jaskiewicz - Miller Avenue Rehabilitation Project (CA-4); Ordinance to Amend Chapter 26 (Solid Waste) (C-2) (Zoom)

Adam Jaskiewicz, resident, spoke in support of CA-4 and C-2.

2. Alexandra Lindstrom - Miller Avenue Rehabilitation Project (CA-4) (phone)

Alexandra Lindstrom, resident, spoke in support of CA-4 regarding a 2-way bike lane on Miller Road.

3. Tyler Craig - Miller Avenue Rehabilitation Project (CA-4) (in person)

Tyler Craig, resident, spoke in support of CA-4 and proposed bike lanes on Miller Road.

4. Victoria Green - Ordinance to Amend Chapter 26 (Solid Waste) (C-2) (in person)

Victoria Green, resident, spoke in support of proposed Ordinance C-2, stating the need for a new Solid Waste policy.

5. Brandon Dimcheff - Miller Avenue Rehabilitation Project (CA-4); Ordinance to Amend Chapter 26 (Solid Waste) (C-2) (in person)

Brandon Dimcheff, resident, spoke in support of CA-4 and C-2.

6. Henry Herskovitz - Holocaust Education in Ann Arbor Public Schools (in person)

Henry Herskovitz, resident, spoke about Holocaust education and noted that respect is gained when given.

7. Mark Koroi - Elections (in person)

Mark Koroi, resident, spoke about his role in the Trump campaign and urged Ann Arbor to reach out.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HARRISON

Councilmember Harrison spoke about the City's work regarding a shared inclusive vision for Ann Arbor. She stated progress requires vigilance.

COUNCILMEMBER WATSON

Councilmember Watson noted he was not present for Councilmember Song's last meeting. He wished her well and welcomed Councilmember Mallek.

COUNCILMEMBER DISCH

Councilmember Disch announced her attendance at the new African American Cultural Museum and urged others to visit.

COUNCILMEMBER RADINA

Councilmember Radina introduced CC-1. He stated an official ordinance amendment to Chapter 105 is forthcoming regarding rental housing fees.

COUNCILMEMBER EYER

Councilmember Eyer denounced the Holocaust hate speech. She also stated the Policy Agenda Committee will be working on new priorities for the upcoming Legislative Session.

COUNCILMEMBER MALLEK

Councilmember Mallek thanked the voters of Ward 2 and stated he is excited to join City Council.

COUNCILMEMBER CORNELL

Councilmember Cornell denounced the anti-Semitic rhetoric by some public speakers. She also announced the upcoming Midnight Madness on Main Street on December 6.

COUNCILMEMBER AKMON

Councilmember Akmon spoke about events at the Neutral Zone and the 20th Anniversary of the Stewardship Network.

CC-1 24-1973 Proposed Ordinance Amendments to Chapter 105 Regarding Rental Application Fees

Received and Filed

MC COMMUNICATIONS FROM THE MAYOR

MC-1 24-1937 Appointments - Confirmations

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

Human Rights Commission
Rebecca Noell
Term Ending: May 31, 2027

Hannah Lane-Partial Term
Term Ending: May 31, 2025

Referred to the City Council due back on 12/2/2024

MC-2 24-1981 Reappointments - Confirmations

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

Employees' Retirement System Board of Trustees
Alexa Nerdrum-Reappointment
Term: Ending December 31, 2027

Recreation Advisory Commission
Nicholas Crowe-Reappointment
Term Ending: May 31, 2027

Referred to the City Council due back on 12/2/2024

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Briggs, seconded by Councilmember Cornell, 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 requirement of CA-4, CA-6, CA-8, CA-9, and CA-10.

CA-1 24-1909 **Enactment No: R-24-420**

Resolution to Approve Street Closures for the Downtown Ann Arbor Midnight Madness Events on Friday, December 6, 2024 from 6:00 AM until Midnight

CA-2 24-1870 **Enactment No: R-24-421** **Approved**

Resolution to Approve a Construction Contract with T & M Asphalt Paving for Bicentennial Park Improvements Phase II ($532,431.00)

CA-3 24-1885 **Enactment No: R-24-422** **Approved**

Resolution to Approve Purchase Orders with Lumen for $70,996.00 and $44,793.00 for Relocation of Fiber Optic Facilities Owned by Level 3 Communications, LLC and CenturyLink Communications, LLC, both Lumen affiliates, in Connection with the Barton/Bandemer Park Pedestrian Tunnel

Project (Total $115,789.00)

CA-4 24-1799 **Enactment No: R-24-423** **Approved**

Resolution to Approve a Construction Contract with Fonson Company, Inc. for the Miller Avenue Rehabilitation Project (ITB-4753; $6,358,946.30) and Appropriate $5,465,464.00 in Contributing Funds (8 Votes Required)

CA-5 24-1803 **Enactment No: R-24-424** **Approved**

Resolution to Approve Professional Services Agreements with Stantec Consulting Michigan, Inc. (Stantec) for $2,300,000.00; Spalding DeDecker Associates, Inc. for $2,000,000.00; OHM Advisors (OHM) for $1,300,000.00; and Wade Trim Associates Inc. (Wade Trim) for $1,300,000.00 for Construction Inspection Services for a Duration of up to Three Years

CA-6 24-1848 **Enactment No: R-24-425** **Approved**

Resolution to Authorize the Purchase of Vehicles from Lunghamer Ford and Appropriate Funding (State of Michigan MiDeal - $538,797.00) (8 Votes Required)

CA-7 24-1793 **Enactment No: R-24-426** **Approved**

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC for General Civil Engineering Services ($200,000.00 Amendment, $600,000.00 Total Contract) (RFP #23-16)

CA-8 24-1921 **Enactment No: R-24-427** **Approved**

Resolution to Approve a Construction Agreement with A. Z. SHMINA, INC. for Fire Station 1 - Flood Restoration ($210,835.00) and Appropriate Funding (8 Votes Required)

CA-9 24-1910 **Enactment No: R-24-428** **Approved**

Resolution to Accept Grant Funds from the Michigan Public Service Commission’s Department of Licensing and Regulatory Affairs for Bryant Neighborhood Decarbonization Work and Appropriate Funds to the Office of Sustainability and Innovations ($3,115,600.00) (8 Votes Required)

CA-10 24-1911 **Enactment No: R-24-429** **Approved**

Resolution to Accept Grant Funds from the Federal Highway Administration through Its Charging and Fueling Infrastructure Discretionary Grant Program to Expand Electric Vehicle Charging in Ann Arbor and Appropriate Funds to the Office of Sustainability and Innovations ($3,488,140.04) (8 Votes Required)

CA-11 24-1917 **Enactment No: R-24-430** **Approved**

Resolution to Approve a Professional Services Agreement with Arbor Consultants, P.C. for Sustainable Energy Utility Advisory Services ($200,000.00)

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.

A APPROVAL OF COUNCIL MINUTES

A-1 24-1920 Work Session of October 15 and Regular Meeting Minutes of November 7, 2024

A motion was made by Councilmember Watson, seconded by Councilmember Disch, that the Work Session of October 15 and Regular Session Meeting Minutes of November 7, 2024 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 24-1802 An Ordinance to Amend Sections 5.15 and 5.16 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Permitted Use Tables for Child Care Center and Private School uses and Use Specific Standards for Child Care Center uses) CPC Recommendation: Approval (6 yes, 0 no) (ORD-24-29)

A motion was made by Councilmember Disch, seconded by Councilmember Ghazi Edwin, that the Ordinance be approved on First Reading and should be returned by 12/16/2024. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-24-29

C-2 24-1929 An Ordinance to Amend Section 2:3 of Chapter 26 (Solid Waste) of Title II (Utilities and Services) of the Code of the City of Ann Arbor (ORD-24-30)

Sponsors: Akmon, Briggs and Disch

A motion was made by Councilmember Akmon, seconded by Councilmember Briggs, that the Ordinance be approved on First Reading and should be returned by 12/2/2024. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-24-30

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 24-1923 **Enactment No: R-24-431** **Approved**

Sponsors: Disch, Watson, Ghazi Edwin, Eyer and Cornell

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 Electing 2024-2026 Mayor Pro Tem and Establishing Order of Succession for Acting Mayor

DC-2 24-1919 **Enactment No:** **Deleted from Agenda**

Sponsors: Akmon, Disch and Watson

Deleted from Agenda

Resolution Urging the Michigan Legislature to Support Michigan Senate Bill No. 228 to Repeal the Law Preventing Local Ordinances Regulating Plastic Bags and Other Single-Use Containers

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).

A motion was made by Councilmember Akmon, seconded by Councilmember Cornell, that Council enter into Closed Session under the Michigan Open Meetings Act, MCL 15.268 (1) (E), to discuss pending litigation, specifically Jennifer Alexa, Jeff Malone, Tim Rugg v. City of Ann Arbor, Case No. 2:22-cv-13073, United States District Court Eastern District of Michigan. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:05 p.m.:

Yeas: 11 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin, Councilmember Watson, Councilmember Akmon, Councilmember Cornell and Councilmember Mallek

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Radina, seconded by Councilmember Mallek, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:46 p.m.

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 Radina, 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 24-1874 September 2024 Quarterly Investment Report

E-2 24-1747 Environmental Commission Resolution Supporting SB228

E-3 24-1938 Lisa Campbell- Resignation from the Transportation Commission

E-4 24-1945 Communication from the Washtenaw County Brownfield Redevelopment Authority Regarding a Brownfield Plan for 300-312 E. Huron, Ann Arbor, MI - Planning & Development Services, Sustainability, Attorney's Office

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

F-1 24-1625 August 8, 2024 HDC Meeting Minutes

F-2 24-1632 August 28, 2024 ZBA Meeting Minutes

F-3 24-1661 July 11, 2024 HDC Meeting Minutes

F-4 24-1814 PAC Meeting Minutes September 17, 2024

F-5 24-1832 Building Board of Appeals Meeting Minutes for September 19, 2024

F-6 24-1862 Environmental Commission Meeting Minutes of September 26, 2024

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 Cornell, seconded by Councilmember Briggs, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:47 p.m.

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

LIVE: MONDAY, NOVEMBER 18, 2024 @ 7:00 P.M.
REPLAY: FRIDAY, NOVEMBER 22, 2024 @ 8:00 P.M.

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

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