

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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



Meeting Minutes - Draft

Monday, August 17, 2020

7:00 PM

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

Electronic Meeting

To speak at public comment call: 877 853 5247 or 888 788 0099

City Council

Enter Meeting ID: ~~962 3652~~ 2322

Council meets in Caucus at 7:00 p.m. on the Sunday prior to each Regular Session.

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:01 p.m. in accordance with Governor Whitmer's Executive Order 2020-154.

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 - Councilmember Jane Lumm, Councilmember Jack Eaton, Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Zachary Ackerman, Councilmember Chip Smith, Councilmember Anne Bannister, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson and Councilmember Ali Ramlawi

APPROVAL OF AGENDA

A motion was made by Councilmember Ramlawi, seconded by Councilmember Grand, that the Agenda be approved as presented. On a voice vote, the Chair declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford highlighted that the Ann Arbor Housing Commission passed a Resolution in support of Black Lives Matter; it is contained in item G-8.

Mr. Crawford submitted the following written reports for information of Council:

AC-1 [20-1257](#) August 17, 2020 Agenda Response Memo and eComments

Received and Filed

AC-2 [20-1279](#) City Administrator's Report - August 17, 2020

Received and Filed

INT INTRODUCTIONS

INT-1 [20-1278](#) University of Michigan (U-M) Plans for Student Return to Ann Arbor

Michael Rein, Director of Community and Government Relations at the University of Michigan, and Laura Blake Jones, PhD., Dean of Students at the University of Michigan, provided an update on the plan for students to safely return to campus this fall.

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

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**

- 1. Peter Houk - Resolution to Endorse HB 4738 and the Creation of a Statewide Crosswalk Law(DC-1)**

Peter Houk, 2025 Yeoman Ct., spoke in favor of keeping the existing Crosswalk Ordinance and urged Council not to endorse HB 4738.

- 2. Mozhgan Savabieasfahani - Don't turn Ann Arbor City Council into an army for Israel**

Mozhgan Savabiesfahani, resident, urged City Council not to be turned into an army for Israel. She also urged the Council to not allow campus to re-open this Fall.

3. Blaine Coleman - Don't turn Ann Arbor City Council into an army for Israel

Blaine Coleman, resident, urged City Council not to be turned into an army for Israel.

4. Donna Waters - Housing

Donna Waters, of behalf of Survivor Speaks, discussed concerns regarding the electronic housing wait list and ensuring that an electronic format doesn't preclude individuals who aren't technologically knowledgeable from gaining access.

5. John McLaughlin - Stop the Hate

John McLaughlin urged members of the public to not use public commentary to make racist or anti-Semitic statements.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER LUMM

Councilmember Lumm addressed the Mayor's recent veto of the non-partisan election ballot proposal and his decision to not allow the issue to go before the voters.

COUNCILMEMBER NELSON

Councilmember Nelson announced street resurfacing projects upcoming in Ward 4.

COUNCILMEMBER GRISWOLD

Councilmember Griswold provided updates on mobility issues as the City does not yet have a Mobility Commission. Councilmember Griswold also discussed Congresswoman Debbie Dingell's "Unity Lunch." She also noted that a jury trial is set to start in a pedestrian fatality case.

MC COMMUNICATIONS FROM THE MAYOR

MC-1 [20-1148](#) Appointments - Confirmations

Mayor Taylor requested confirmation of the following nominations that were presented to City Council for consideration at the August 6, 2020 Regular Session:

Energy Commission

*Larry Kerber
3425 Strand Ct.
Ann Arbor, MI 48105
Term: Ending May 31, 2023*

*Brigit Macomber
815 Barton Dr.
Ann Arbor, MI 48105
Term: Ending May 31, 2023*

*Ember McCoy
441 S. First St.
Ann Arbor, MI 48103
Term: Ending May 31, 2023*

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

CA **CONSENT AGENDA****CONSENT AGENDA ITEM REMOVED**

With unanimous consent of Council, the follow Consent Agenda item was removed from the Consent Agenda and placed at the end of same:

CA-6 - Resolution to Approve the Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Lumm, seconded by Councilmember Smith, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement for CA-1, CA-3, and CA-5.

CA-1	20-1061	Enactment No: R-20-306	Approved
		Resolution to Approve a Purchase Order for License Subscription to NetMotion Software, Inc. (\$38,169.60) (8 Votes Required)	
CA-2	20-1110	Enactment No: R-20-307	Approved
		Resolution to Approve Schedule 33 to the Interagency Agreement for Collaborative Technology and Services for Support Services for the Dell Compellent Storage Area Network with Washtenaw County (\$41,560.17)	
CA-3	20-1163	Enactment No: R-20-308	Approved
		Resolution to Approve a Conduit Use Agreement and Reimbursement Agreement for Duct Construction with MCIMETRO ACCESS TRANSMISSION SERVICES CORP (8 Votes Required)	
CA-4	20-1131	Enactment No: R-20-309	Approved
		Resolution to Adopt an Affordable Housing Waitlist Policy	
CA-5	20-1150	Enactment No: R-20-310	Approved
		Resolution to Approve and Accept Various Grant Fund Opportunities and Appropriate Funding (\$13,274,184) (8 Votes Required)	
CA-7	20-1153	Enactment No: R-20-311	Approved
		Resolution to Accept a \$470,000.00 Grant and Approve a Parcel Contract with USDA-NRCS for a Conservation Easement on Property in Northfield Township	
CA-8	20-1154	Enactment No: R-20-312	Approved
		Resolution to Accept a \$1,749,300.00 Grant and Approve a Parcel Contract with USDA-NRCS for a Conservation Easement on Property in Salem	

Township

CA-9 20-0840 Enactment No: Deleted from Agenda

Deleted from Agenda

Resolution No. 2 - Boardwalk Drive Sidewalk Gap Project - Special Assessment District #63

(Deleted from Agenda 8/10/20)

CA-10 20-1135 Enactment No: R-20-313 Approved

Resolution to Ratify an Emergency Purchase Order with the National Railroad Passenger Corporation (Amtrak) for Railroad Inspection and Flagging Services for the Southside Interceptor Sanitary Diversion Project (\$30,000.00)

CA-11 20-1129 Enactment No: R-20-314 Approved

Resolution to Approve a Two (2) Year Purchasing Agreement for Bituminous Patching Materials from Cadillac Asphalt, LLC, ITB-4639 (\$118,000.00 Annually)

CA-12 20-1151 Enactment No: R-20-315 Approved

Resolution to Approve Professional Services Agreement with Eurofins Eaton Analytical, LLC to purchase Certified Laboratory PFAS Testing, RFP #20-25 (estimated \$34,700.00/year)

CA-13 20-1198 Enactment No: Deleted from Agenda

Deleted from Agenda

Resolution to Approve Street Closures for University of Michigan Football Games for the 2020 Season

(Deleted from Agenda 8/10/20)

CA-6 20-1043 Enactment No:

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

Resolution to Approve the Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

20-1043 Enactment No: **Amended**

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

Strike the final Resolved Clause.

On a roll call, the vote was as follows with the Mayor declaring the amendment carried:

Yeas: 7 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 4 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman and Councilmember Smith

Resolution to Approve the Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

20-1043 Enactment No: R-20-316 **Approved as Amended**

A motion was made by Councilmember Ramlawi, 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: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Hayner

Resolution to Approve the Fuller Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [20-0657](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial district), MMG Plymouth Road Mixed Use Rezoning, 3611-3621 Plymouth Road, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-20-19)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial district), MMG Plymouth Road Mixed Use Rezoning, 3611-3621 Plymouth Road. Notice of public hearing was published July 30, 2020.

There being no one present to speak, the Mayor declared the hearing closed.

Held and Closed

PH-2 **20-0658** **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve MMG Plymouth Road Mixed Use Planned Project Site Plan and Development Agreement, 3611-3621 Plymouth Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve MMG Plymouth Road Mixed Use Planned Project Site Plan and Development Agreement, 3611-3621 Plymouth Road. Notice of public hearing was published July 30, 2020.

Amy Seeto, 3111 Cedarbrook Rd., spoke in opposition to the site plan.

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

PH-3 [20-0942](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from R5 (Hotel District) to C3 (Fringe Commercial District), 2800 Jackson Road Hotels, 2800 Jackson Road, (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from R5 (Hotel District) to C3 (Fringe Commercial District), 2800 Jackson Road Hotels, 2800 Jackson Road. Notice of public hearing was published July 30, 2020.

There being no one present to speak, the Mayor declared the hearing closed.

Held and Closed

PH-4 **20-1123** **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve 2800 Jackson Road Hotels Site Plan and Development Agreement, 2800 Jackson (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve 2800 Jackson Road Hotels Site Plan and Development Agreement, 2800 Jackson. Notice of public hearing was published July 30, 2020.

There being no one present to speak, the Mayor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 [20-1201](#) Special Session of July 27 and Regular Session Meeting Minutes of August 6, 2020

A motion was made by Councilmember Ramlawi, seconded by Councilmember Smith, that the Minutes of the Special Session of July 27 and Regular Session Meeting Minutes of August 6, 2020 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [20-0657](#) An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial district), MMG Plymouth Road Mixed Use Rezoning, 3611-3621 Plymouth Road, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-20-19)

A motion was made by Councilmember Smith, seconded by Councilmember Lumm, 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: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

DB-1 **20-0658** **Enactment No:**

A motion was made by Councilmember Ramlawi, seconded by Councilmember Lumm, that the Resolution be approved.

Resolution to Approve MMG Plymouth Road Mixed Use Planned Project Site Plan and Development Agreement, 3611-3621 Plymouth Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

20-0658 **Enactment No:** **Postponed**

A motion was made by Councilmember Eaton, seconded by Councilmember Ramlawi, that the Resolution be postponed until 9/21/2020. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lumm, Councilmember Eaton, Councilmember Bannister, Councilmember Griswold and Councilmember Ramlawi

Nays: 6 - Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Hayner and Councilmember Nelson

Resolution to Approve MMG Plymouth Road Mixed Use Planned Project Site Plan and Development Agreement, 3611-3621 Plymouth Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

20-0658 **Enactment No: R-20-317** **Approved**

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

Yeas: 11 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Smith, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 0

Resolution to Approve MMG Plymouth Road Mixed Use Planned Project Site Plan and Development Agreement, 3611-3621 Plymouth Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

RECESS

The Mayor declared a recess at 9:37 p.m. and reconvened the meeting at 9:51 p.m.

B-2 **[20-0942](#)** An Ordinance to Amend Chapter 55 (Unified Development Code), Zoning of 4.5 Acres from R5 (Hotel District) to C3 (Fringe Commercial District), 2800 Jackson Road Hotels, 2800 Jackson Road, (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

DB-2 **20-1123** **Enactment No: R-20-318** **Approved**

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

Resolution to Approve 2800 Jackson Road Hotels Site Plan and Development Agreement, 2800 Jackson (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 20-0985 Enactment No:

Sponsors: Griswold and Lumm

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

Resolution to Endorse HB 4738 and the Creation of a Statewide Crosswalk Law

20-0985 Enactment No: Lay on the table

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

Yeas: 10 - Councilmember Lumm, Councilmember Eaton, Mayor Taylor, Councilmember Grand, Councilmember Ackerman, Councilmember Bannister, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson and Councilmember Ramlawi

Nays: 1 - Councilmember Smith

Resolution to Endorse HB 4738 and the Creation of a Statewide Crosswalk Law

DC New Business - Council:

DC-2 20-1218 Enactment No: R-20-319 Approved

Sponsors: Taylor, Hayner, Ackerman, Ramlawi, Griswold, Nelson and Bannister

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

Resolution to Approve the Acquisition and Renovation of Lurie Terrace by the Ann Arbor Affordable Housing Corporation, an Affiliated Non-Profit Entity of the Ann Arbor Housing Commission, Approve 5 FTE's and appropriate funds (\$260,000) (8 Votes Required)

DC-3 20-1238 Enactment No: R-20-320 Approved

Sponsors: Nelson

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

Resolution to Approve Outdoor Seating for Drip House Coffee, 1336 South Main Street, for the Rest of the Season as a Special Event Sale

DC-4 20-1258 Enactment No: Withdrawn

Sponsors: Ramlawi and Lumm

A motion was made by Councilmember Ramlawi, seconded by Councilmember Lumm, that the Resolution be approved.

With the unanimous support of Council the motion was withdrawn.

Resolution to Amend Resolution R-20-194 - Resolution to Approve Downtown Street Closures for Restaurant and Retail Use During the Time of Mandated Physical Distancing and Resolution R-20-302 - Resolution to Extend Resolution R-20-194 - Resolution to Approve Downtown Street Closures for Restaurant and Retail Use During the Time of Mandated Physical Distancing to Extend Sunday Closure Hours

DB Unfinished Business - Boards and Commissions:

DB New Business - Boards and Commissions:

DS New Business - Staff:

E COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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

Passed on consent agenda

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

F The following communications were referred as indicated:

- F-1** [20-1159](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for Electric Customers of DTE Electric Company in Case No. U-20703 Scheduled for August 20, 2020

- F-2** [20-1190](#) Communication from the State of Michigan regarding City of Ann Arbor Charter Amendment Proposals for the November 3, 2020 Election

- F-3** [20-1187](#) Communication from the State of Michigan Public Service Commission regarding Notice of a Public Hearing for Electric Customers of DTE Electric Company in Case No. U-2084 Scheduled for August 19, 2020

- F-4** [20-1251](#) Communication from City Clerk Jacqueline Beaudry Regarding Receipt of Veto of Resolution R-20-305 by Mayor Christopher Taylor on Tuesday, August 11, 2020

G The following minutes were received for filing:

- G-1** [20-0907](#) Ann Arbor Housing Commission Board Minutes May 20, 2020

- G-2** [20-0934](#) Minutes of the May 27, 2020 ZBA Meeting

- G-3** [20-1070](#) Airport Advisory Committee Minutes - January 15, 2020

- G-4** [20-1071](#) Elizabeth Dean Fund Committee - Meeting Minutes - 06.09.2020

- G-5 [20-1106](#) Budget and Labor Committee June 25 Meeting Minutes

- G-6 [20-1114](#) LDFA Board Meeting Minutes - June 25, 2020

- G-7 [20-1137](#) Election Commission Minutes from July 14, 2020

- G-8 [20-1142](#) Ann Arbor Housing Commission Board Minutes June 17, 2020

- G-9 [20-1191](#) Insurance Board Meeting Minutes - July 23, 2020

- G-10 [20-1032](#) Transportation Commission Meeting Minutes - June 2020

- G-11 [20-1097](#) July 7, 2020 City Planning Commission Meeting Minutes

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Frances Mills, a resident, spoke about the capital expense concerns associated with Lurie Terrace, but expressed excitement with the City's acquisition of the property.

An Attorney from Dickinson Wright, on behalf of the Lurie Terrace Board, expressed appreciation of the City's effort to purchase the property.

Henry McConnell, a resident, spoke about the need for City to create a downtown masking requirement.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner acknowledged the election inspectors of various political parties who served in August at the City's polling locations.

COUNCILMEMBER GRISWOLD

Councilmember Griswold asked that staff look into the efficiency of various masks.

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.

ADJOURNMENT

A motion was made by Councilmember Smith, seconded by Councilmember Ramlawi, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:35 p.m.

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

LIVE: MONDAY, AUGUST 17, 2020 @ 7:00 P.M.

REPLAY: FRIDAY, AUGUST 21, 2020 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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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 viewed at the front counter of the City Clerk's Office.