

ROUGHLY EDITED TRANSCRIPT

CITY OF ANN ARBOR  
CITY COUNCIL MEETING  
JANUARY 4, 2021  
6:30 P.M.

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>> Mayor Taylor: Good evening, everyone, and welcome to the January 4 meeting of Ann Arbor city council.

If you are able, please rise and join us for a moment of silence, followed by the Pledge of Allegiance.

>> I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

>> Mayor Taylor: Would the clerk please call the roll of council?

>> Clerk Beaudry: Councilmember Hayner.

>> Councilmember Hayner: Here.

>> Clerk Beaudry: Councilmember Disch.

>> Councilmember Disch: Here.

>> Clerk Beaudry: Councilmember Griswold.

>> Councilmember Griswold: Here.

>> Clerk Beaudry: Councilmember Song.

>> Councilmember Song: Here.

>> Clerk Beaudry: Councilmember Grand.

>> Councilmember Grand: Here.

>> Clerk Beaudry: Councilmember Radina.

>> Councilmember Radina: Here.

>> Clerk Beaudry: Mayor Taylor.

>> Mayor Taylor: Here.  
>> Clerk Beaudry: Councilmember Eyer.  
>> Councilmember Eyer: Here.  
>> Clerk Beaudry: Councilmember Nelson.  
>> Councilmember Nelson: Here.  
>> Clerk Beaudry: Councilmember Briggs.  
>> Councilmember Briggs:  
Here.  
>> Clerk Beaudry: Councilmember Ramlawi.  
>> Councilmember Ramlawi: Here.  
>> Clerk Beaudry: We have a quorum.  
>> Mayor Taylor: May I have a motion to approve the agenda.

Moved by Ramlawi and seconded by Disch.

Discussion of the agenda?

All in favor?

Opposed?

The agenda is approved.

Are there any communications from the city administrator?

>> City Admin. Crawford: Yes, sir.

Just a couple.

Happy new year.

I wanted to reflect on the hard work you did late last year and December and let you know that we're looking forward to continuing that work with you over the next few months as we try to make progress on the items in the offsite.

Also, I wanted to make you aware that the wastewater treatment plant received an award, I think it was last week, at least announcement of it, it's called the premier utility performance award.

I think they call it pump award and it's really for utilities who have a forward-looking business and taking actions to do so.

So congratulations to them on that.

And then lastly, if you would indulge me for just a minute, I would like to cede a few moments of my time and have Mr. Postema me about something that is best spoken at the beginning of the meeting.

>> City Atty. Postema: Mayor and council.

Happy new year.

I applied for this current position that I'm in 18 years ago last.

My cover letter included the following sentence "I would be proud to represent the city of Ann Arbor as its city attorney."

That sentiment remains, so that I would stay in my position until at least July 2020 and at least provide one year's notice before resigning or retiring from the position.

This was to assure the council, first, that I would complete a crucial succession planning process for the office and specifically at this time I have replaced five positions with five attorneys retiring or leaving that had an average of 37 years legal experience and an average of over 16 years of experience with the city.

Three of these current replacements were made in 2017, one in 2019 and one in 2020.

Because of the importance of succession planning, I also promised at least one year's notice on my own plans so that the city council so act accordingly.

Whether some wondered whether I would retire back in July of 2020.

I clarified last March in my public statement that I would not be pleading my succession planning until the end of 2020.

The pandemic arrived, the council was going to undertake a hiring process for new city administrator, and I had not yet finished successions for any time in the near future, however, I must say that circumstances changed recently, and I'm now providing the city council with notice of my intent to retire from the position of city attorney at some point in the year 2022.

The exact date is not specific, and I will work with the council and the council administration committee on this further.

This timing allows the city council to do a careful plan of succession for my position.

In 2022, I will have served the city in this position for 19 years.

So there's no confusion by my reason for leaving at this time, my intent is to achieve a more flexible work schedule that allows me to spend more time with my family.

More specifically, my wife who was diagnosed recently with cancer.

The excellent care team at the u of m hospital.

We had to address shorter and longer term implications and it's clear I will need to cut back in my work commitments in the longer term to address this situation, this time frame also allows time for the city council to gain its bearing in the coming year, before undertaking a search process, further allows me time to work with the new city administrators he charts the course for the city with the city council and the city attorney's office has many excellent attorneys and staff and this time will further allow them to all work together on behalf of the city before any change is made in the position. They are a strong team.

As the city council moves into 2021, we will have many challenges.

I hope that the city council moves forward in a manner that will frame governance in a positive way so as to encourage many attorneys to step forward and consider this position and this opportunity for public service.

I look forward to working with the city council in this new year, in the important task at hand of taking care of this city.

Sincerely, yours truly.

Thank you for this time.

>> Mayor Taylor: Mr. Postema, thank you, truly.

Mr. Crawford, is that all from your end?

>> City Admin. Crawford: Yes, it is.

>> Mayor Taylor: Thank you.

We now have before us the Dr. Jackson, the chair of the independent community police oversight commission with the commission and her monthly update.

Dr. Jackson, the floor is yours.

>> Happy new year, you guys.

It always helps if I turn on the actual camera and microphone.

Thank you for having me.

Good evening and happy new year, and best of luck to you, Stephen.

My name is Lisa Jackson and I hope that all of you, including everyone on council and on the city staff and all of our community members enjoy a fulfilling and safe holiday season.

2020 was a moment this year in a number of ways and I hope that 2021 will bring a similar level of positive change but hopefully without the same level of fire and brimstone.

I would like to extend a welcome to the newly elected councilmembers and as I stated the last time I spoke before your body, we hope and look forward to working with you and getting to know each of you individually as you acclimate to your new roles.

This year, ICPOC is to have meaningful police oversight for the Ann Arbor community. We have seen them become window dressings for a lot of cities in the country and we don't want that to happen to ours.

Not only because it would represent a failure to live up to the challenge of the important work we do, but also because our community is in a unique moment of opportunity when it comes up -- when it comes to standing up for the values that we believe in. Meaningful -- and you must stress that word -- oversight is not about living up to platitudes or being obstinate but instead recognizing areas that need to improve and iterating change.

And I recognize that change can be a scary word for policymakers but the idea that we can change for the better is certainly part of the basis of this entire country.

And so when we come to you and ask you to change a policy, we do so because it would not be politically convenient but we truly believe that streamlining the complaint review process, genuinely improve the relationship between the community and the police.

Meaningful oversight is proactive.

It's not enough for us to deal with problems -- to only deal with problems that have been reported to us.

We also need to use and analyze existing data to anticipate future or so far unnoticed problems.

And even opportunities.

And by doing things such as examining traffic stop data or use of force data, we can see if policies are applied unevenly or evenly and we can make policy recommendations so that we can prevent tragedies from occurring in Ann Arbor, but also to help improve what we already have that works in Ann Arbor.

And this brings me to the important point that meaningful oversight is about systems.

We have to recognize that being a police officer is incredibly difficult job.

We are asking men and women to uphold a very specific set of rules while also exercising a large degree of discretion to handle each situation appropriately.

And so, of course, things don't always go the way we would like them to and every once in a while, a person might be on the wrong side of a policy, and, you know, no one everywhere is going to eliminate human error but we can make sure that our systems avoid human error.

We can better advance fair and professional law enforcement that's responsive to this community's needs.

And also to evaluate the integrity and the effectiveness of our police accountability

systems.

Institutionalizing important reforms allow them the longevity to change the cultures of the institutions they affect, and over time better align them with the values of our community.

My final note this evening is meaningful oversight is collaborative.

It's not just between civilians and the police are the city and our commission, but as a community, we also have the opportunity to work with other agencies and institutions to impact state law to better reflect our values such as when it comes to allowing our community the same access to police disciplinary records that other cities already enjoy.

Because oversight is an iterative process, it requires that all of us engage in real conversation about what we want to see change and what we want to stay the same. We are always happy to engage with the Ann Arbor police department.

While there's certainly many points on which we disagree, there are some in which we agree.

And it would be incredibly value to engage with the AAPD's policy goals as stated by the police themselves.

As I stated in the past, the Ann Arbor police department's work is largely good.

So I'm sure their explanations for their police behavior will just clarify those matters to the public.

That concludes my commentary for this evening.

I look forward to hearing from you and work together towards meaningful police oversight in this committee.

I leave with you the reminder that one of the foremost goals of civilian oversight is to protect the Civil Rights of everyone.

Please join us by Zoom at our next meeting on January 26<sup>th</sup>.

Thank you so much for having me.

>> Mayor Taylor: Thank you very much.

We now come to public comment reserve time.

Public comment reserve time is an opportunity for members of the public to speak to council and the community about matters of municipal interest.

One needs to sign up in advance by contacting our city clerk.

The speakers will have -- well to speak at public comment reserve time, please enter the number on your screen, 877-853-5247.

877-853-5247.

And once you are connected please enter the meeting ID, that is 96707229175.

Again, 96707229175.

Once you are connected please enter star nine so that our clerk with recognize you.

Our clerk will recognize you when it's your turn by identifying the last three digits of your telephone number.

Speakers have three minutes in which to speak.

So please pay close attention to the time.

We have our clerk, who will notify you when 30 seconds are remaining and when your time is up.

When the time is up, please conclude your remarks and cede the floor.

Our first speaker is Blaine Coleman.

>> Clerk Beaudry: Mr. Coleman, if you unmute your phone, phone number 941.

>> For almost 20 years, I have been among the people demanding boycott, divestment, and sanctions against the apartheid state of Israel.

I demanded it of the mayor and the city council for almost 20 years now.

And the city council has proven for 20 years the most important issue to them on which the city council and the mayor are most united is they strongly want to smother any talk of action against Israel.

How strongly?

Well, it's my opinion that they have been Stonewalling every single resolution for Palestinian rights for almost 20 years now.

That has been my observation and my opinion.

Almost 20 years, total unity of the entire city council on effectively speaking on murdering the Palestinian people.

I mean, think about that.

Think about that.

This city council, which poses and postures on all kinds of cosmetic human rights issues, when it comes down to real human rights for people, they will never, ever, say one public word to save the lives of the Palestinian people.

And worse, they will throw all of their weight behind Stonewalling any resolution for Palestinian human rights.

They will Stonewall any resolution to boycott Israel.

They will Stonewall any resolution to divest from Israel.

They Stonewall any resolution against aid to Israel, and that has been my observation for just about 20 years now.

How on earth can a city council prances around, pretending to be for human rights.

How can a city council like that in concrete terms be so racist?

Well, in my opinion, the Ann Arbor city council is, for the reasons I just said, racist to the bone.

Racist to the bone.

I mean, just this week, the Israeli Army shoots a Palestinian man because he's trying to hold on to his generator.

Just because he and his friends are holding on to the generator.

They just shoot him in the neck.

What does city council do about it?

Nothing.

Israel massacres thousands and thousands of Palestinians over the years.

What does the city council do about that?

Nothing.

Even when 100 people are standing in city council chambers, demanding action, city council makes sure to do nothing, and just to be really sure, they send in the police to clear out the city council chambers.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Our next speaker is Mozhgan Savabieasfahani.

>> Hello, can you hear me?

>> Mayor Taylor: We can hear you.

>> Mm-hmm.

Hello.

I have also been asking for a stop to military aid to Israel for decades.

Israel is an apartheid state that has been choking millions of Palestinians with full support and financial aid of the United States of America.

As we speak, Israelis are vaccinating people and excluding Palestinians from that vaccination.

Israel is a racist state that has been murdering, raping, destroying Palestinian community for as long as it has existed.

Ann Arbor city council for almost 20 years has been silencing the voices of hundreds of Palestinians and People of Color who have come to their chambers, demanding something be done about this assassinated state, a state that murders people, that assassinates people, that destroys and is destroying the Palestinian community.

Ann Arbor city council has completely, completely turned its back.

If you, Mayor Taylor, pretend to be for human rights, I tell you, you are not.

You are, in my opinion, a racist because you have stopped any action, any even talk or seeming talk about the apartheid state of Israel.

The city of Ann Arbor and its mayors after mayor.

City council after city council have failed the citizens of this town by allowing our water to get more pollutes, by allowing the cost of living to become so expensive that People of Color black people have had to move out, too expensive to rent, too expensive to own.

Why are they fully supporting those murderers that want Israel and its colonies all over the West Bank and Gaza are?

>> Clerk Beaudry: 30 seconds.

>> Palestinian people are dying at a time when Americans are dying, but we are committed to give Israel that death force.

Ask yourself, why should we give them more military aid and more money to spend on killing people.

People right here need that \$38 billion because they are losing jobs.

They are dying of COVID.

By the time I finish talking, four people have died in the United States of COVID.

360,000 people have died already.

America has the worst record when it comes to COVID containment.

>> Clerk Beaudry: Time.

>> Yet, they don't stop bombing people or killing Palestinians.

We want stop military aid to Israel.

Stop it now!

>> Mayor Taylor: Thank you.

>> And don't thank me.

>> Mayor Taylor: Thank you.

Are there communications from council?

Councilmember Song.

>> Councilmember Song: I want to remind folks that there's a public hearing that the

county is hosting this Wednesday at 2 p.m. and this is part of -- this is a H.U.D. requirement on gathering feedback on the survey.

Part of that effort is a survey on the federal use of funds on housing and community development needs for the upcoming year.

So for the '21/22 action plan.

You can find that at [Washtenaw.org/OECD](http://Washtenaw.org/OECD) or you can find it at Washtenaw OECD.

It's open to the 21<sup>st</sup> and it's in English and Spanish.

And this is going to help us understand, you know -- prioritize objectives in our housing needs in the county.

So I encourage folks to participate.

Oh, also if I can, a local sixth grader Neo Si is competing in a Food Network competition that starts at 9:00 tonight.

So it would be really interesting if we could make that a goal and catch that.

If not, I hope folks can join me in wishing him good luck in the competition.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: Thank you.

I would like to start the year out request a quote attributed to Thomas Jefferson.

A well-informed electorate is a prerequisite for democracy.

I hope that will be a guiding principle for this year.

I want to thank everyone who has been engaged in local government.

I think in Ann Arbor, we are so very, very fortunate.

We may not agree with everything that's on Twitter or Facebook or Nextdoor but the fact that we are having these discussions are very valuable.

I also want to acknowledge the ideas that I have received regarding improving our council governance.

I'm working on that with Councilmember Eyer and while we haven't met over the holidays, I have a long list of ideas that have been shared with me, and I remain optimistic about that.

I also want to thank everyone who participated in caucus, who covered caucus, who videotaped caucus, and who attended as a guest last night.

We had Ian Robinson come to explain some issues, and he's agreeing to come back to the next caucus as well.

And I want to acknowledge Lisa Jackson.

I not only agreed with what she said, but I really liked her discussion and her approach to talk about change for the better, are system pitfalls.

So it seems like we're using a systems approach for improvement and that increases our likelihood of being successful.

Third, we're policymakers, however, our policies are hollow if we don't have evaluation mechanisms to determine what's really happening out in the environment.

And some of those evaluation mechanisms are a2fixit, as well as emails from constituents.

I checked a2fixit just before the meeting tonight, and there was a request that we plow the Broadway bridge sidewalks and it included a picture.

I thought rather than putting an update on a2fixit, I would just mention it tonight.

And lastly, streetlights.



I don't know what else I can do to encourage staff and citizens to prioritize streetlight outages.

We must address this.

We have over a dozen unlit crosswalks in the downtown area and I can report all of them, but it really needs a systems approach, getting back to what Lisa Jackson said.

>> Mayor Taylor: Mr. Radina.

>> Councilmember Radina: I would like to let everyone know that if you haven't seen already, this Thursday at 6 p.m., myself and Mayor Taylor will have a happy hour to introduce Naomi Goldberg.

I have introduced that in my newsletter and social media.

And there's a preregistration so we can keep the meeting secure in that way, but if anyone is interested and wants to just email me, I'm happy to accept that as an RSVP if you are interested and meeting our new LGBTQ liaison.

Thanks.

>> Mayor Taylor: Further communication from council.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you, mayor.

And happy new year to everybody.

A couple of quick comments.

Heavy news that we got earlier by Mr. Postema.

It is going to be, I guess, more of a joy and a challenge over the next year, but rewarding in this process that we're going to be undergoing.

So an acknowledgment as Mr. Postema and his commitment and his service to the city is obviously more -- he does it more than for just the paycheck.

So it's going to be difficult to find someone who does the work for the reasons that make it such a great position, but one with a lot of responsibility and influence.

And then just also our council caucus yet, I thought was probably one of the base engagements that I had yet with this body, and with that group as in general, three of our new members joined.

Three existing members.

We had a good mix and a great participation with -- with the residents and our constituents.

And they really appreciated it as much and so I appreciate the new councilmembers joining us in that tradition and hopefully continues.

Thanks hopefully have a good meeting here.

>> Mayor Taylor: Further communication from council?

I do have one -- two things first.

Hold please.

I would like to request confirmation of the following appointments that were presented to city council at the December -- the prior December meeting and it is outside my window now, and so I can't get it.

December 21<sup>st</sup> meeting of the regular session.

That is to say to the downtown development authority, Jonathan Massey and to the employees retirement system board of trustees Jordan Schreier.

May I have a motion, please.

Moved by Councilmember Grand.  
Seconded by Councilmember Briggs.

Discussion?

All in favor?

[Chorus of ayes]

All opposed?

It's approved.

And, you know, I would like to follow on with Councilmember Ramlawi, you know, modicums to Mr. Postema will flow easily.

I have been so grateful for the service that he's provided to the city, the counsel that he's provided to us as a group and to the counsel and advice that he's provided to me. He's been indispensable and will continue to be so until he chooses to wander away. The consent agenda.

May I have a motion to approve the consent agenda?

Moved by Briggs and seconded by Ramlawi.

Discussion of the agenda?

>> Councilmember Nelson: I would like to pull CA-11, please.

>> Mayor Taylor: CA-11.

Further discussion of the consent agenda?

All in favor of the consent agenda with the exception of CA-11.

[Chorus of ayes]

Opposed?

It's approved.

Thus satisfying the right vote retirement with CA-4, CA-5.

That is all.

CA-11, resolution to approve the memorandum of understanding again the city of Ann Arbor and the University of Michigan for the Hubbard road/Huron parkway stormwater outlet repair project, in the amount of \$210,000.

Moved by Nelson and seconded by Ramlawi.

Discussion of CA-11, Councilmember Nelson?

>> Councilmember Nelson: Thank you.

I have a follow-up question of what I asked in the agenda in the written document.

I'm still curious about how we arrived at the 50/50 split because the last time it was on our agenda it was 55/45.

I'm curious to know who negotiates these contracts.

The map that was attached to the response to the agenda questions was helpful.

Yeah, I would just like a little more explanation about how we arrived at this split.

>> Mayor Taylor: Mr. Crawford.

>> City Admin. Crawford: We have Mr. Hupy here who is more familiar with that than I am.

>> As soon as I can unmute myself.

That was done on a calculation of drainage area.

The amount of surface area that contributes to that point in the system, it's 50/50.

It was basically a mathematical calculation that was done.

50% university lands and 50% other lands.

>> Councilmember Nelson: How -- the map was helpful and I'm curious how you arrive at the end of the map, you know, where the red lines start, north of the project area.

>> At the high point of the system.

The other areas drain elsewhere in the system, not to that point.

>> Councilmember Nelson: Okay.

So then I guess my next question is, if this was a straightforward mathematical calculation, how did it land on our agenda last time at 55/45?

>> I can't speak to that, that was Jen Lawson.

It was a 50/50 split, which was more favorable to us, before it was a 55 city, 45 university.

>> Councilmember Nelson: Right.

So my only other question is who on our staff is actually negotiating those numbers?

We started out --

>> Generally, it's Jen Lawson or Molly or myself, depending on the project.

>> Councilmember Nelson: And you -- and there's a corollary on the U of M side?

>> Yes.

>> Councilmember Nelson: All right.

Thank you.

That was all I had.

>> Mayor Taylor: Further discussion of CA-11?

All in favor?

All opposed?

It's approved.

We now come to a set of public hearings.

Public hearings are opportunities for members of the public and the community to speak about a particular item on the agenda.

To speak at a public hearing, you need not signed up in advance, however, your speech must relate to the specific subject matter of the public hearing.

To speak at a public hearing, please enter the number on your screen, that is

877-853-5247.

877-853-5247.

Once you are connected, please enter the meeting ID, 967-0722-9175.

96707229175.

Once you are connected, there please enter star nine.

Star nine will raise your hand in the eyes of the Zoom and indicate your desire to speak at that mar public hearing.

When it is your turn to speak, the clerk will identify you by the last three digits of your telephone number.

Speakers will have three minutes in which to speak.

And so please pay close attention to the time.

Our clerk will notify you when 30 seconds are remaining and when your time is expired.

Please conclude your remarks and cede the floor.

Public hearing number one, an Ordinance to Amend Chapter 55 (Unified Development Code) Zoning 26 City-Initiated Annexed Properties to R1C and R1D, single family dwelling district.

Is there anyone who would like to speak at this public hearing?

If you have called in to speak at this public hearing, please enter star nine.

>> Clerk Beaudry: Mayor, I don't see -- we have two callers online, but they don't have their hands raised for this hearing.

>> Mayor Taylor: Seeing no one, this public hearing is closed.

Public hearing number two, An Ordinance to Add Sections 5.14.2 And 5.27 And Amend Sections 5.18.4, 5.18.6.D, 5.23.4, 5.29.1, 5.29.3.F, 5.29.8.C, 5.29.12.D, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.L, 5.37.2.N, 5.37.2.M, And 5.37.2.S of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor.

Is there anyone who would like to speak at this public hearing?

If you have called in to speak at this public hearing, please enter star nine.

>> Clerk Beaudry: Mayor, I don't see either of the callers have their hands up.

>> Mayor Taylor: Seeing no one, this public hearing is closed.

We have before us the minutes of the work session of December 14, and the special session of December 16 and the regular session meeting minutes December 21, all in 2020.

May I have a motion to approve these minutes?

Moved by Councilmember Eyer, seconded by Nelson.

Discussion, please, of the minutes?

All in favor?

Opposed?

Minutes are approved.

B-1, An Ordinance to Amend Chapter 55 (Unified Development Code) Zoning 26 City-Initiated Annexed Properties to RIC and R1D.

May I have a motion, please.

Moved by Disch and seconded by Briggs.

Discussion of b-1.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Right before we started our meeting tonight, we had a memo come from the planning staff, and city attorneys regarding some protest letters and I just trying to quickly absorb that information and the process and the information that's been transmitted to us here late today on this matter, if I'm speaking to it properly. So I would like to bring some light on that and perhaps open the floor for questions based on those latest developments.

Brett, this email that we got here tonight gives us some options to take and I'm not sure if there's a motion that needs to be moved to amend this ordinance.

>> Sure.

Good evening mayor and council.

And my apologies for the last-minute nature of that.

The protest petition came in today and they are eligible up until the public hearing, however in this circumstance, as I outlined in the memo and the email, it's unique circumstance, we have 26 parcels.

The protest petition would apply to three of those 26 parcels.

Of so what the memo recommends is that the ordinance be amended to add and other instruction clause at the end of it that would essentially say that in the event that the

required eight affirmative votes are not reached as would be required under a protest petition, then all of the properties in the ordinance would be rezoned, except for those three.

In the event that council didn't make that amendment and just proceeded with the amendment and eight or more votes were passed, then all the properties would be rezoned.

So the proposed amendment would be a way to transparently just to communicate via the ordinance, not only to you, the public, and ultimately to clerk Beaudry, as to follow up of as those 26 properties, there are three that if the final outcome doesn't meet the eight vote requirement, those would not be rezoned, and at that point we would come back with an alternative recommendation.

>> Councilmember Ramlawi: And does our city clerk have that as well?

>> Mayor Taylor: Ms. Beaudry, can you distribute?

>> Councilmember Ramlawi: I will let my colleagues speak.

I know there are a couple of hands that are up right now.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Would it be appropriate to ask what the reasons were for those three petitioners?

>> It's one petitioner.

That petitioner owns two of the three properties and is proximate to the third property, exceeding the threshold.

That petitioner objected to the proposed rezoning of the parcels to r1d single family residential.

The petitioner didn't identify specific zoning district but thought based on their location on south Wagner, they would be appropriated as a higher density zoning district which would allow a greater density or intensity of development given the location on south Wagner.

Our R1D recommendation is based on the master plan, the surrounding properties and certainly there's no foreclosing the option of any property owner to seek a rezoning in the future.

>> Councilmember Griswold: Okay.

So there's the option to upzone it to reach greater density which has been one of our goals at a future time?

>> That could be considered in the future, for sure.

>> Councilmember Griswold: Thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: You might have just clarified this for me, but I guess I was wondering was there any consideration of denser zoning for these three properties? Is there anything about them that distinguishes them from the whole group other than that they are owned by a petitioner who has submitted a petition?

>> They are -- they are a grouping of the properties amongst a lot of noncontiguous properties as part of this ordinance.

The master plan extends the proposed single family zoning recommendation for these properties as well as the balance of properties elsewhere in the area.

It would certainly -- the city could always consider an alternate zoning.

That would be starting to -- it would start to run different from the future land use map for that area, but it is something we could be considered.

In the case of these properties, as part of the city initiated annexation in the subsequent zoning which you are considering now, we tend to follow the master plan pretty specifically to get the property zones which is property, which as they come into the city, they are regulated clearly by zoning district and, again, as I said, any future consideration could be considered.

It would be -- in this case it would be different from the master plan recommendations but it could be considered.

>> Councilmember Disch: It's difficult to consider it without, you know, more of a plan for why we should exempt those three and so I'm inclined to feel that a future reconsideration would be better since that's not precluded, but I would be happy to hear from anyone who would have a different argument.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I just wanted to clarify, when you said there was -- all three properties one owner or two -- or there are two owners of these properties.

>> There's two owners.

The protester owns two of the three and then the protest petition also provides that if 20% of the adjacent property within 100 feet protest rezoning of another parcel, that also qualifies.

The third parcel is reached by that threshold.

>> Councilmember Ramlawi: Okay.

Thanks.

I'm looking at this on Google maps right now.

I'm wondering these are all contiguous, obviously, these three properties and there's nothing in the area that's zoned other than r1d right now, in that general vicinity.

And Councilmember Disch had just alluded to that this is a process for this petitioner to follow once they are annexed into upzoning it into something more perhaps.

Could we perhaps get a better idea of what -- what that process is like and what kind of -- you know -- and I know in other annexations, there was more of a background on what the future purpose and use and intent was with the properties and we're not necessarily getting that right here.

We're just getting an ask for a greater density, but without any more particulars.

Is that the case?

>> Yes, that's my understanding.

I'm just basing my response to that on the letter that was provided, but it seems to me that this protester would like the opportunity in the future to consider a more dense development than the r1d would allow for his properties.

It might be appropriate to consider that, like in the context of multiple properties as opposed to the current configuration of sort of individual lots as they are currently configured but I don't know that he is proposing any specific development proposal at this point.

I think generally, across the street of Wagner, you have a different land use than you do on the city side of Wagner.

So the process would be like any rezoning.

It would be seeking -- submitting a rezoning application with the corresponding site plan or area plan and then it would go through the normal review process.

>> Councilmember Ramlawi: And I'm just curious, what would be the most appropriate rezoning.

You are looking for, like, a buffer here of zone.

You have residential and then more of a commercial setting nearby.

What would be typical in the area.

You are going to have a buffer --

>> Well, it would be based on obviously, what the goal was to accomplish.

Some districts like our obvious district have built-in buffers that as you get closer to residential properties and you have greater setbacks and the like, that doesn't seem terribly applicable here, based on the depth relatively shallow depths, the larger scale development requires a will larger area footprint in order to accommodate all the uses as a part of that.

It might be potentially to think about a less intense commercial district potentially or a multifamily district that would consider more density of residential but still be consistent. I think those are the discussions that would take place in that area or response to the proposal once it was developed.

>> Councilmember Ramlawi: Thank you, Brett.

Thank you.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thanks.

And I think I have a question more specific to the proposal that was sent around and I tend to agree with Councilmember Disch and others that, you know, my preference would be to follow the master planning process and entertain a separate request at a future date, but I'm trying to, I guess, better understand the intent behind the proposed section here.

As I'm reading it, is it simply because of the protest, now all of the properties are tied together, they are subject to eight votes and we are trying to prevent all of them from failing?

Because my concern with this is if we are going -- we seem to be going down a little bit of a path of talking about whether or not these properties should be upzoned, when if there were councilmembers who agreed with that prospect, it would kind of -- this solution seems to me to require some strategic voting in trying to get a right threshold to stop that from happening and stop them all from being approved.

I guess I'm better trying to understand what the intent of this section being added is.

>> I appreciate it.

It's a good question.

And it's largely housekeeping.

We have to think about it this way.

We have 26 properties and we have not had this question up before when we aggregate properties for rezoning like, this a protest petition is filed on a portion of them.

We have had protest petitions in the past, but they tend to be related to a single property and development or perhaps a single contiguous grouping of properties and

that is a little bit more clear to apply that 8 vote requirement to the ordinance in this case, the protest petition meets the ordinance requirements 2-4, but it only meets it for three of those properties and we are simply trying to propose a solution that clearly and transparently articulated that.

We haven't reached whether it would invalidate the whole ordinance or not.

We think this is the appropriate approach so that that question is not necessary.

Again, alternatively if eight votes or more are applied to this rezoning with the basis that a future rezoning would be necessary.

>> Councilmember Radina: As a follow-up question, could the same thing essentially be achieved.

Is there any reason why we wouldn't simply pull these three properties out and vote on them separately, rather than having an addendum that suggests if a certain vote threshold is met, and then some are passed and some are not?

>> I think this approach was presented because there are some nuances in the adoption of an ordinance versus a resolution.

It may not be as effective to actually just split an ordinance into two at the table.

I would leave that to the City Attorney Postema, if you wanted to add on to that.

But our intention in this way was that we are not raising the specter of that question.

We are clearly and transparently recognizing that there are 26 properties in here.

And three require eight votes.

So if a simple majority enacts this ordinance, 23 properties have been rezoned, three have not.

If eight or more are enacted, then 26.

And so the intention was to avoid sort of what would be, I think, a pretty unique situation of creating a new second ordinance here at the table and instead just being clear in the context of the existing published action.

>> Councilmember Radina: I think that answers my question and it would be my hope that we meet the eight vote threshold, based on the conversation that we have tonight and it's all moot but I appreciate that explanation.

It helps me.

>> Mayor Taylor: Trying to move this along.

If someone would move and second the amendment, moved by grand and seconded by Briggs.

Is the amendment friendly to the body?

The amendment is friendly not body.

Further discussion of the motion as amended.

Ms. Beaudry, do you have the language?

You sent it.

Of course.

>> Clerk Beaudry: Do you want me to read it?

>> Mayor Taylor: No, not necessary.

The effect of it has been made clear for members of the public.

Further discussion.

Councilmember Ramlawi?

>> Councilmember Ramlawi: Thanks.



This is just, you know -- so I want to talk about while we're on this topic, there's been a lot of criticism of single family zoning, you know, three-quarters of land, I believe, in America, which in cities like ours are zoned for single family zoning.

It's been attacked and questioned as to it's the best way to use our resources, where it gets its origins, and the questionable ways that it gets used and it's gotten to be a very charge conversation.

In my first couple of years on council, boy, we got tarred and feather, any time we tried to protect single family zoning, and here we have somebody coming in and says, here, I will give you -- I want something more than single family zoning.

Something that has been criticized as being problematic, as being racist.

And yet we're bringing land into the city under this -- what is being called at times racist zoning.

And I'm not necessarily the one that is characterizing that that way, but I have definitely been the receiving end of it.

So as we go forward, I'm just curious as to when is this going to be looked at so that when we are annexing land into the city, that we're annexing land, perhaps in -- in a classification of zoning that is not -- is not very controversial to say the least.

You know, it's just -- I'm looking for some consistency here, to apply to policy making and in this case, it just seems without any, you know, purposeful motive that there isn't this consistency in arguments that are being made with development, single family zoning and now that we are bringing land into the city, we're classifying it under this very controversial zoning classification.

So I just -- I'm curious into knowing when we will revisit the master plan and -- and maybe look at that as something that we look to change.

>> Well, I --

>> Councilmember Eyer: Point of order.

Mayor, we are drifting off topic here.

>> Councilmember Ramlawi: I'm sorry, I don't think so.

>> Mayor Taylor: I will put that as --

>> Councilmember Ramlawi: We are talking about single family zoning.

>> Mayor Taylor: Yeah, I will put that related to the matter.

Councilmember Briggs.

>> Councilmember Briggs: Yeah, just real briefly on Councilmember Ramlawi's point, I think Mr. Lenart was about to chime in.

Coming off planning commission recently, this is a discussion that's been happening around the planning commission table.

I think the hope was we would have been in the midst of a master plan update process at this point, unfortunately the budgetary changes have not made that possible.

My understanding is that to the degree that it's possible, there's interest from staff to start to begin to have some of these community conversations.

I mean, communities across the country are having conversations about the history of single family zoning and the will reckoning that we need to have as communities about what the impact of that has been on the growth and the formation of our communities.

So maybe Mr. Lenart might want to speak to it a little bit more, but I agree, we do need to have a conversation about that in our community.

>> Yes.

Of I agree as well.

The discussion by both councilmember -- the last two councilmembers, they are a lot of factors and they are complex.

The planning commission has identified in their work plan starting a conversation about single family zoning.

I have think that they recognize that there's a lot of community conversation, education before we jump top any policy decisions or directions that regard but I would note that we are starting off with a working session next week at the planning commission, where we are going to be inviting a couple of researchers from the University of Michigan who have started to do some research on the history of racially exclusionary deed restrictions within properties in the city.

So that's -- there -- again, there's a lot to learn and we're just starting that.

I think it will be a long road, and I think we do need to balance that.

It's important we align the master plan from a legal defensibility perspective and we will have to align them for what our policies say and what our aspirations are in the future.

It doesn't mean that we can't advance some of those without a comprehensive master plan undertaking.

That's also a conversation that will be happening at the planning commission.

How can we incrementally start looking at the master plan, but you are both absolutely right, it's a really complex issue with a lot of inputs that we will have to be mindful as we have that conversation.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I just wanted to say to Councilmember Ramlawi.

I take your point because when I read the communication, what went through my mind, oh, hey, great opportunity.

Let's not bring this in as single family, but let's bring it in with a denser zoning designation, and then I thought, oh, wait a minute.

Let's be process consistent.

And we don't actually do that by Fiat at the council table.

Typically, that -- there would be public hearings on such a thing and there would be planning commission review of such a thing.

And so it seemed to me that being consistent with process since we are not precluding this person from making this request in any way, it seemed to me that we need to say no to this.

And I just wanted to clarify because you did raise -- I was listening closely, because you were, like, speaking what was on my mind, or what had gone through my mind.

You raised the question of are we consistent and when will we revisit some of these master plan issues and I think that it is important to know as Mr. Lenart said, that, you know, directed by council, the planning commission is revisiting some of these questions and, you know, particularly through t1, that we are talking about, which will be -- we will be able to do with public participation, even short of the master planning process that we hoped to be engaged in.

I just wanted to recognize what you said, and explain why it looks -- why it looks not inconsistent to me.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Sorry.

I too was a little intrigued when I saw this come through but, again, you know, much like Councilmember Disch, realized that there's a process here.

When we do these annexation, staff recommends a zoning that is consistent with the master plan and surrounding use and, you know, I want to say I would be totally open to seeing a plan down the road and considering a zoning in conjunction with that, but I think that, you know, for today, we just follow the process and encourage the -- the landowner, whoever they are, to bring forward a plan when they are ready.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi, two points.

One, I think I accidentally lowered your hand, which I did not mean to do prior to speaking, but I think that you have spoken twice, if not three times on this matter.

>> Councilmember Ramlawi: Is the main motion or the amendment before that?

>> Mayor Taylor: Well, the amendment had not been raised but you had a --

>> Councilmember Ramlawi: I can raise my questions otherwise.

I appreciate councilwoman Disch's response to my questions and I understand we all want to hurry this meeting along.

>> Mayor Taylor: Thank you.

Further discussion?

Having heard no objection, all in favor?

[Chorus of ayes]

All opposed?

It is approved with 11 councilmembers present, all voting in the affirmative, thus satisfying the eight vote requirements for the three parcels in the document.

I would further say, back at the consent agenda -- thank you, Ms. Beaudry, CA-9 is a nine-vote item.

CA-9 was voted on by 11 councilmembers all voting in the affirmative, thus satisfying the eight vote requirement with respect to CA-9.

Thank you.

An ordinance, B-2, An Ordinance to Add Sections 5.14.2 And 5.27 And Amend Sections 5.18.4, 5.18.6.D, 5.23.4, 5.29.1, 5.29.3.F, 5.29.8.C, 5.29.12.D, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.L, 5.37.2.N, 5.37.2.M, And 5.37.2.S of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor.

May I have a motion, please.

Moved by Councilmember Nelson, seconded by Councilmember Disch.

Discussion, please, of B-2.

Councilmember Ramlawi.

>> Councilmember Ramlawi: I was wondering if Mr. Hancock is here or someone from staff.

>> Mayor Taylor: Mr. Hancock?

>> Yes, I am here.

>> Councilmember Ramlawi: Thank you, Jerry.

Sorry, I didn't get some of these questions in, but we have been getting a lot of questions after the deadline, and I just wanted to ask a couple for some constituents

who received some letters from the city regarding flood insurance and the fact that they are in the floodway, or the floodplain, when previous to this letter, they were unaware of it.

With this ordinance, I understand it heightens some requirements and changes the one here -- you know, the 500 to 100, and those kind of things.

Does this ordinance extend the footprint of the floodway or flood map or what FEMA requires folks to have for flood insurance?

>> No, it doesn't affect either of those things in any way.

The district that we have in the ordinance is simply administrative tool to get a proposed project in front of me for review, but it doesn't change the flood maps or the flood insurance requirements.

>> Councilmember Ramlawi: Well, that's pretty much all I got for you right now. I might have a second question for you later on.

>> Mayor Taylor: Mr. Hayner.

>> Councilmember Hayner: With your nod of approval, this is an important and first step that we pass this now but it doesn't prohibit us from stepping forward in the future and strengthening these -- our own rules around, or adopting any other rules that might come from the state or the federal government; is that correct?

>> Yes.

We can always embark on another process to strengthen these requirements. There is a process coming up that is related to that, our hazard mitigation plan. That tends to be where as staff we lay out potential projects like improving an ordinance.

>> Councilmember Hayner: Okay.

I want to make sure we get this on the books because I know there's some deadlines. We have a lot of input, where we have people say, do we expect it to go further? I expect you might also in the future.

I will follow up with you separately on that, I suppose.

>> Sure.

>> Councilmember Hayner: Thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I apologize if this is a dense question, but if, as I thought, the district doesn't expand the footprint of the floodplain -- the floodway, why is it that some residents perceive that they are being asked to purchase something that they didn't have to previously have to purchase.

>> We have to send a letter to all properties in the floodplain and inform them of general insurance requirements and building code requirements and the fact that the city has the ability to apply for grants, that we're in the community rating system.

So it's a very general letter.

That goes out to every property that touches the flood plain.

The letter does not mean your house is necessarily in.

It's just an informative letter to all properties that touch the floodplain.

And we do that once a year, and as far as people perceiving it that my house is in the floodplain.

The floodplain maps has not changed since 2012.

There's floodplain on the property.

>> Councilmember Disch: So maybe they didn't notice the last time we got this?

>> We have been in the community rating system now for five years.

So that was at least the fourth letter they received.

>> Mayor Taylor: Further discussion?

All in favor?

[Chorus of ayes]

All opposed?

It's approved.

DC-1, Reconsideration of the Vote to Approve R-20-466, Resolution to Approve a Purchase Order with Axon Enterprise, Inc for FY21 In-Car Equipment Project Fund (\$69,848.00 in FY21) for Axon Fleet Dashboard Cameras Evidence.com Cloud Storage and Wi-Fi Offload Hardware Used in all Police Patrol Vehicles and related six-year quote.

In the aggregate of \$348,308.

Moved by Councilmember Song for reconsideration, seconded by Councilmember Radina.

Discussion of the reconsideration?

Councilmember Song?

>> Councilmember Song: So thank you for this reconsideration.

I had meant to -- oh, I'm sorry.

>> Mayor Taylor: Sorry.

>> Councilmember Song: Okay.

I had meant to pull this out of the consent agenda last month, and missed my opportunity.

So I appreciate this -- the time and the work and that staff and fellow council have already put in, in asking questions and clarifying what this contract is -- actually is and how it's meant to be used.

I brought it back for consideration because I was hoping staff can help clarify a little bit to the community and maybe address some of the concerns that were raised on how identifiable information will be used if at all, and while facial recognition software is not part of the contract, the technology is used by other municipalities and ICE presents an opportunity to explore why our police department chooses not to use the technology and what investigative tools they do rely on.

I've spoken with Dr. Jackson and a bit with Councilmember Radina about this, and I would like to see if there's a possible of ICPOC and HBAC, and see if there's a possible ban on racial recognition.

I appreciate staff's response to Councilmember Nelson's, Ramlawi and my questions. The contract language is pretty specific, but if staff could touch on if upgrades and the contract changes happen without needing council approval, what that would look like, and what the process would look like and how contracts and software purchases are made with an eye towards privacy right, security and equity.

>> Mayor Taylor: Excellent.

So the process on this, we have the motion for reconsideration and then we'll get into the main motion.

If you can probably -- when we get to that main motion, I will call on you to lead off and repose those questions.

>> Councilmember Song: Oh, gosh.

Okay.

>> Mayor Taylor: No, no, perfect!

Further discussion of the reconsideration?

All in favor?

Opposed?

Reconsideration is approved.

We have before us resolution to approve a purchase order with axon enterprise Inc. for fiscal '21 In-Car Equipment Project Fund (\$69,848.00 in FY21) for Axon Fleet Dashboard Cameras Evidence.com Cloud Storage and Wi-Fi Offload Hardware Used in all Police Patrol Vehicles and related six-year quote.

In the aggregate amount of \$348,308.

Moved by Councilmember Song, and seconded by Councilmember Radina.

Discussion of the reconsidered motion.

Councilmember Song.

>> Councilmember Song: I really don't have to repeat that, right?

I would rather just give the floor to Mr. Shewchuk and Mr. Cox.

And I know you have been in talks with other council folks.

Does that work?

>> The only thing I will say unless you have any other direct questions.

We don't use the facial recognition software and it hasn't been considered.

I will have to defer to the chief as to any thoughts about the use of the technology with do not use it in the city and as far as I know, we don't have any plans and anything that we did in is relationship to that would come to council because of the sensitive nature of the information.

>> And just to reiterate it, we don't use it.

It's been pretty unreliable.

It's something we know.

On the topic of future use, this is not something that we will use, because it's unreliably, clearly.

I'm less inclined to ban something that is not perfected.

I know right now law enforcement needs as much help as we can get in any way possible, whether it's through technology or not.

And as long as we are not using facial recognition, the stuff we know doesn't work and we talk as a communication, you know, all the time, I don't think there's a need to ban it in that format and we will not use it because it's unreliable and you will know what we are doing because we are having those conversations.

That's my opinion on that if that's helpful.

>> Councilmember Song: That's helpful.

Can you walk us through what exactly will be corrected open the servers and --

>> Yeah.

The body cameras that we have and the car video, it's just video footage kept in the cloud and I know certainly Tom can probably speak to the technology itself, but it's

really storage, right, instead of us having the storage capability, it's kept in their storage capability, but they don't give or grant anyone access to it.

It's our data.

We control it.

We can upload it.

We can download it, and other people don't have access to it.

And so they don't use it for anything unless we need to work on something or if we need something fixed, they don't take our data to use and experiment on or do something to make their product better.

And the thing about Axon, they actually have an ethics board where they talk about their technology and the use of their technology just to make sure that it's in line with best practices throughout the country and they currently as a company, they have no plans to use any type of facial recognition in their business plans.

>> And we're subject to Criminal Justice Information Compliance and Axon is compliant with the CJIS standards.

>> Councilmember Song: Thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Had there been any releases of this data through hacking in the past?

And are you confident that security measures under place to make it sure at this point?

>> I'm not aware of any hacks to the data and it is secure as it can be.

I think I said this before, I will say it again, there's nothing that is 100% secure but we work with the legal department and the company, and we look at their practices when it comes to storing data and protecting data and we do our due diligence to make sure that we have this covered.

>> Councilmember Griswold: Oh, okay.

>> But, again, it's not to say that anything -- anybody can be hacked any time if somebody wants data bad enough.

>> Councilmember Griswold: Okay.

And I didn't mean to put you on the spot.

That's just a question we are getting from the public.

It's at least as secure as my credit card.

>> Depends on -- depends what credit card you have.

I'm just kidding.

No, it is secure.

Yeah.

>> Councilmember Griswold: Thank you.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I think I have some questions regarding something that chief Cox said, regarding is the flawed nature of facial recognition technology, and the technology could potentially improve.

I think for my part, I guess my question is how this process -- when we go through the process of purchasing this software, this equipment, do we have the ability to make changes to the contract with a third-party company?

And my question is, I would feel much more comfortable knowing that council actually

did proactively state that we are against the use of facial recognition because of the flawed nature and stipulating that with a third-party contractor that we are contracting. With I'm not necessarily relying on the fact that we don't expect a business practice to change with a third-party company.

That doesn't seem like it's necessarily the best way to approach this topic from my end. Knowing if technology were to change and we would come up with some sort of need that would require us to use the software in the future, that we could revisit that policy as well and it would require this body to have a conversation rather than hoping we would have one.

I guess I put that out there, what is our process and what level of cost do we have in the third party that has access to this that they wouldn't change their pro e else is.

>> We have a contract, first of all so, they would be in breach of it.

I would think that that would probably override it right there.

The contract specifically says we own the data and we can totally control it and they don't at all.

If think violate that, I think there's consequences, but Tom, maybe you could add to that.

>> If you look at the documentation, it's very clear on what we bought and what features they provide and we should not get anything more than what we purchased.

It's pretty clearly stated what we bought and what we didn't buy.

So --

>> If I can add a little bit.

You know, I know we are talking facial recognition and so this 1069ware doesn't currently have it in there.

They are not looking to put it in there.

I will say as far as transparency is concerned, the body camera footage and the dash camera, that's most transparent thing that we have in the police world.

And so ironically we are kind of talking about something that actually is being mandated throughout the country trying to get people to actually to use it.

And so that's why, you know, it's just -- I love the discussion and it's very important stuff, but there is no facial recognition currently there and more importantly this technology is we are using it daily and it goes to transparency and this is something that, I think, the police world certainly needs right now.

>> Councilmember Song: I think in the contract, it actually stipulates that we get -- legal counsel would provide notify from the vendor if there's any changes.

I'm pretty sure that they are legally required to notify us if there are any changes in the service.

So it seems like there's some oversight on their part.

I guess -- I know with the schools.

There's a committee that oversees or at least provides a guidance on software purchases when it comes to security and best practices.

Is there something that we go through with the city where we reach out to folks in this area or is this pretty much a routine contract that comes up.

Operationally?

>> I will say this contract for the police, it's the replacement of old technology, the dash cam.



It was not working anymore.

And, you know this particular company we had the body camera with us.

It streamlines the technology, when we have the body cam and the dash cameras with the same company and it makes it easier to retrieve it and use the information.

There are places that have ethics board with people get together and talk about the ethical implications of technology.

Again, I will defer to Tom Shewchuk, because he has been doing this a lot longer than I.

>> I guess if I understand your question right, the question is if we want something new, we would either ask for it or they would, you know, come in and they would pitch it to us and we would go through the same process that we do to purchase anything else.

It would start all over again.

It would start with a new quote.

It may or may not -- it more than likely would relate back to our master services agreement that we currently have in place.

Because -- because the master services agreement we are using for this purchase is actually the same one for the body cam because the evidence.com software is the same for both products and all the data is going to the same place.

Okay?

So it's all kind of connected.

So again for new things or new purchases we would be going through the process again just like we are now.

>> Councilmember Song: I understand what we are considering is this contract and I expanded it a little bit beyond what it actually is.

So I appreciate everyone's patience on this.

I think the worry from the community is that technology changes and leadership changes and priorities change and that's why we see municipalities like in Massachusetts or the entire state of Massachusetts just did a statewide ban on facial recognition.

It's an issue of genuine concern that I hope we can revisit it maybe in the commissions and the staffs a little bit deeper.

I know it's a little bit left field from what's on the table today, but I thought it would be a really good opportunity to have this exercise publicly and just understand your processes and your decision-making reasons for not choosing it -- purposefully not choosing it and choosing a vendor that has been it is been specifically open about not having identifiable information from the footage.

Thanks.

>> Security is pervasive to a lot of things that we do within the city.

And when we pursue opportunities like this, that is a topic that's gone over and evaluated and we are very, very sensitive to it.

You know, I'm sensitive to it, and we have to be sensitive to it.

So we appreciate the questions.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: So great.

This is very clarifying and it's pretty clear that -- well, it's entirely clear that we're not purchasing facial recognition services.

They will not be sneaked into our package this company is not likely to be hacked, but is there any clause in the contract currently that requires them to notify us if there's an accidental breach if the personal identification information.

You are nodding.

>> We have more applications on this data in the cloud as well.

Any time there's a breach, it's in the contract that they have to respond to the breach within a certain period of time.

And they have to notify us as soon as they are aware.

So every contract is a little bit different, but generally if there is a breach, they absolutely have to contact us.

Yes.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I wanted to acknowledge a ward 4 resident, Adam Oxner. I want to repeat what Councilmember Song said earlier.

Would probably be a really good discussion that could happen at HRC and ICPOC.

Adam suggested to me that there are other communities who have formal review of purchases of technology like this one and that would sort of cover a lot of city departments.

When we started having security at city hall and cameras, I saw some discussion around the footage that was being taken and the potential of that footage, just people coming on and off of elevators to be personally identifying.

So I appreciate this coming back.

I would suggest that maybe we send this topic or those of us talking to it, before I it to HRC and ICPOC to talk more broadly about it.

I think it's a longer discussion than maybe works for this particular meeting.

>> Mayor Taylor: Mr. Crawford.

>> City Admin. Crawford: Mayor, this might dovetail with a conversation that we started a while ago, and Mr. Shewchuk had, on smart city technologies.

And this stuff all kind of comes to go.

We learned a lot when we had our public comments on the smart city technologies, one of which was transparency and advanced notice and that's something that we will make sure that we bring back and this group, I think, will benefit from hearing all of that and how it comes together.

There's a lot that goes into this.

You can imagine the technology today that captures images I will say, not just people, can be used for a multitude of things.

I know the university is working on identifying when someone wants to cross a street, you know, if we are able to pick that up, then that that is actually beneficial for safety.

So that can be used.

And so going back to the derivations of this makes this an interesting topic but the smart cities may be a place to consider this discussion.

>> Mayor Taylor: Further discussion?

All in favor?

Opposed?

DC-2 has been removed from the agenda.

You will see it again at the next meeting.

There are a number of community questions, but I think we will receive clarifying and comforting answers.

But we'll be discussing it at our next meeting.

DC-3, Motion to Reconsider the Vote to Approve ORD-20-32, an Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of The City of Ann Arbor.

Moved by Councilmember Griswold, and seconded by Councilmember Hayner.

Discussion, please of DC-3?

Councilmember Griswold.

>> Councilmember Griswold: We received confidential privileged information regarding this resolution, and so at this point, I would like to make a statement, and that is in hindsight, it would have -- what I should have done is moved the water rate resolution to after the closed session and I did not do that.

And so there is not really an opportunity at this point to reconsider, but I would like the minutes to reflect that I would have voted no against the resolution, had I been given the opportunity.

And I don't want to reveal anything that was communicated in confidence.

>> City Atty. Postema: No.

You have identified a procedural issue that is -- the methodology for doing a reagency as opposed to just making a change going forward, you would need to redo the ordinance at this point in time.

There's a method to do it, and so, you know, that's where it is as to your other comments, I have no comment on that.

>> Mayor Taylor: Further discussion?

In favor of the motion to reconsider?

>> Councilmember Nelson: I actually saw a split.

There probably should be a roll call vote on this.

I would make a comment, though, that typically as a matter of courtesy, we allow for a reconsideration of an item because it's just a courtesy.

>> Councilmember Griswold: Do I have the option to simply withdraw it based on the advice of the legal staff?

>> Mayor Taylor: At this point --

>> City Atty. Postema: Yes.

>> Mayor Taylor: Right now, I would characterize it as the body -- would you make the table.

>> Councilmember Griswold: Okay.

I move to cable.

>> Councilmember Ramlawi: Second.

>> Mayor Taylor: Second.

I don't believe there's discussion on tabling.

Roll call vote on the tabling the motion.

Starting with Councilmember Song.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: DB-1, Resolution to Approve the Distribution of the Draft Plan, Ann Arbor Moving Together Towards Vision Zero - City of Ann Arbor Comprehensive Transportation Plan.

Moved by Councilmember Grand, seconded by Briggs.

Discussion of db-1, Councilmember Hayner.

>> Councilmember Hayner: There's some interesting things in there and some errors. Before we decide if we want to release this to the public with the errors, I'm not sure what the process is to correct these prior to approving this release.

I understand it's a draft plan and so that's how changes get made and errors get fixed and so on, but there were several, but I just want to quickly run through my comments that I had reading through this.

It's an aggressive plan to visit vision zero in four short years.

I appreciate that people feel this is a legitimate consideration.

This is a very aggressive time frame.

Just a couple of things, and to speak to the resolution, itself, briefly, there's mandated folks that this is released to that we are mandating, I assume, their comments on this, and there are non-mandated ones.

I was a little -- I wonder if as we -- much of this has a regional approach to it, even though it's Ann Arbor's plan, I wonder if the city of Ypsilanti should be added as a non-mandated recipient.

Moving into the plan quickly, it talks about a quick build safety program, but doesn't describe where the budget will come from in the next four years.

There's -- what I liked -- there's some things I liked and some things I didn't like.

It advances some ongoing corridor studies or the reimagine Washtenaw plan.

I felt they were prioritized and this reinforces that, which I appreciate.

It also addresses dangerous behaviors.

It doesn't mention working with the county prosecutor like impaired driving and I know that was on Mr. Savit's future agenda.

I would like to have that added into that, that he's tied into the conversation.

It discusses a lot of street calming tools but in many instances they seem to brush up against maintenance or snowplow issues.

Many of the examples that are shown are what could be called temperate climates either in the Pacific northwest, the south, the near south and so on.

The sidewalk funding pages needs to be updated because it's before the sidewalk millage and the sidewalk gaps are out of date.

Overall -- well, we mentioned that.

I'm happy to see that they talk about scrambles in there, which is something I have been advocating for, for quite a while.

Unfortunately, when they describe some of the actual intersections that have crash issues, liberty and south division, which I always thought would be an awesome consideration for scramble, it was not.

I think liberty and south division is an awesome opportunity to create a scramble here in the city, downtown, heavy traffic intersection.

I would also like to see us move the ADA transition plan, it's 20 years old.

The comments that we might be done in two years with that, but I'm not sure what is missing from that exactly.

So I guess I could take that offline with planning staff, but we shouldn't have any 20-year-old plans sitting around in my opinion, especially ones as important as ADA transitions.

I think that some of the -- I was a little concerned about the footnoting when I tried to find the footnotes, the footnotes refer to other documents they don't actually describe data that is footnoted there and that makes it a challenge to go back and forth and see if it's accurate.

I was surprised to see \$8,600 is an average vehicle cost for -- or \$8,600 a year as average vehicle cost for somebody to own a car in Ann Arbor which is shocking to me.

You know, if your total cost of ownership is \$300 a month, and 1,000 in gas.

And I don't know what kind of cars people are driving in this town, \$8,600 sounds like a lot.

And I'm concerned --

>> Mayor Taylor: You are at 3:30.

>> Councilmember Hayner: Somebody else can talk and I will come back.

How do we correct these before we release this to the public or shortly thereafter?

>> Mayor Taylor: We'll ask staff that question and then Councilwoman Griswold.

Mr. Hess.

>> Yes, Raymond Hess, transportation.

I think this is one of several different iterations that have been out in the public.

You are right, it's always changing over time.

So, you know, one the things that you cited was that the sidewalk millage was not reflected this draft was the mid-November draft, I think is when it was published and so it's gone to the transportation commission, the planning commission and now before you at this time.

We tried not to make any changes from the different public body meetings because we wanted the draft to stay consistent so that we could get those comments, and that input.

We are still taking comments on the draft, but we just have paused making any changes just for version control, so that way people refer to a page, the page is consistent throughout, you know, that comment period.

I don't know what the precedent is, in terms of whether it should be -- you know, I would imagine scriveners errors, we can thank.

But things that change the policy or the intent of the document, we probably want no hold off on that until we get all the public comments in.

If you would like to send staff a list of the comments that you have, we can go through and make the changes before it's released as long as it doesn't substantially change the formatting or the intent of the document in its current form, but, again, I want to emphasize that the draft that you have before you is just a draft and the final version that will make its way before you, before adoption, you know, we'll be updated and changed to reflect, you know, kind of all the final comments that we heard.

>> Councilmember Hayner: So when we release this to the municipalities and the university and so on, and there is a process by which they can snake written comments and they are taken into account and accounted for somehow rein put in the footnote or appendix of what the various organizations felt was appropriate, inappropriate, good idea, bad idea, whatever their take is on it?

>> Yes, that's prescribed in the state legislation that governs how communities draft and adopt master plans.

So this step is part of that process and, yes, the short of it is, it's an opportunity for the jurisdictions to provide any comments or feedback, and we will annotate -- we will sort of present those comments if any are received as part of the plan adoption, and what you see in the draft to the final adoption, those will be summarized in the final presentations.

>> Councilmember Hayner: So I just -- I had --

>> Mayor Taylor: Councilmember Hayner.

Thank you.

Councilmember Griswold.

>> Councilmember Griswold: Yes, I have been advocating for vision zero for -- I don't know -- five, ten years.

So I'm really thrilled that this is moving forward.

At the same time, I have some concerns because it seems to be aspiration.

And that includes education and encouragement, which we're starting to do, but it also requires evaluation and we will not achieve our vision zero goals if we simply have plans and we talk about 'em and we have meetings.

And this takes me back to if we don't proactively monitor our safety standards such as snow and ice on sidewalks.

We already had a fatality last year related to ice on one of the ramps.

We had many fatalities as a result of streetlights not working or not being present at crosswalks.

And so I want this to be successful, but we have to have a very disciplined framework to achieve this.

And it's going to require a tremendous amount of hard work and just as Councilmember Song tried to relate the axon contract and policy to what was actually going to happen in the real world, we have to do the same thing with this transportation plan, and I hope that we can move forward immediately regarding keeping our sidewalks free of snow and ice and identify who is responsible for reporting streetlight outages.

I hate to keep harping on that, but there are dozens of streetlights that were out that I identified over the holidays.

Thank you.

>> Mayor Taylor: Council member Hayner.

>> Councilmember Hayner: This is another question about notification, which was on my last page.

So in the specific examples, Washtenaw and stadium and they talk about the common accidents.

Sometimes most common accidents by far are nothing to do with the changes made.

But some of the other intersections are reconfigured in a way that presumes that a possible solution might absorb private property at those intersections.

A good example is the triangle of stadium and Washtenaw.

And it shows two different solutions and one of them takes one parcel and one of them takes four parcels.

And so should those parcel owners be notified of this plan?

Their properties are directly mentioned and outlined in red on this -- these drawings that are in here and that's just one example, but that's the one that has the most parcels.

So is that -- when is the time to notify folks that their private property may be under consideration for whatever the process would be that would take it away and make it a roundabout?

>> Right.

So I think what is -- if I'm following the point of the plan that you are mentioning, there are safety corridors and safety intersections that are identified in the plan and so they are broken up into tier one and tier two to kind of identify for lack of a better term where there are hotspots and so, you know, the idea here is looking -- and this is a very data driven plan.

And the idea is looking at the data, looking at the crash patterns that are happening at those intersections and what are some of the counter measures that could be deployed to address those.

Now this is a planning level document.

So this is not an engineering document.

This is looking at a systemwide level doing a scan of the entire system and looking at all the crashes where there are opportunities for improvement.

I -- because this is kind of that high level planning document, we do not yet know, you know, which properties would be impacts.

They are identifying some of those properties, I think, as, you know, possibilities, but I don't -- you know, over time, that may change.

There might be other solutions that can come forward when we move into an engineering solution.

And this would have been to be in the major capital improvement plan and at those times and those check points within the project development is when we would start to engage residents and engage the community and engage the property owners, and so that would be my expectation in terms of when we would, you know, reach out to property owners, especially those that would be directly affected by a project.

>> Councilmember Hayner: Okay.

So like, specifically, generally, there will be -- this will go through the same PR procedure that any other release of a master plan document would, where the city makes a general note, to the public notification that this is out there for a public comment period, in keeping with the master plan, the highlights for the state, right?

>> That's correct.

>> Councilmember Hayner: And so there's an opportunity for in any city resident to opine on this?

>> Yes, and the document is publicly available for anybody now.

And we have been circulating it through several different public engagement processes and Mr. Lenart can chime in too.

There are several other points in the process still ahead of us that will allow the residents the community to provide comments as well.

>> Yes, specifically any residents can provide comments during this comment period that other jurisdictions have as well, and then, of course, there will be public hearings of adoption and consideration at both -- at the planning commission, so there's lots of opportunities but, you know, that's exactly the intention of this period.

We have done the policy work.

We have reflected what we have heard from the community as far as priorities, approaches, explored, created ways, perhaps new ways to solve in had response to some of those problems, and so this is the opportunity to share those thoughts and ideas with the public.

We are going to hear all of those comments that we hear over that time period and then that draft is going to be finalized, either with modifications or not, either way, we are going to summarize those comments to you -- well, first the planning commission is going to make that decision and then you are going to in approve or reject that.

>> Councilmember Hayner: Do you know what the 63 days is?

The 63 days from today?

>> It will -- we'll probably be 623 -- 63 days in the community to those jurisdictions.

I can follow up with you once we have those dates confirmed.

>> Councilmember Hayner: Thank you.

>> Mayor Taylor: Further discussion?

I guess I would like to say for my part that I'm excited that this is going forward.

You know, we -- the ability of folks to get around town without their cars safely by cycling or by walking, is fundamental to the achievement of so many of our municipal goals and this is a -- a plan that will help us -- help us get there.

Further discussion?

All in favor?

Opposed?

It is approved.

Other communications today from our city attorney?

>> City Atty. Postema: No, mayor, I have no more communications, although I did -- statement I read, I sent it to the council and I asked the clerk to add it to city attorney communications.

So I said enough for tonight.

Thank you.

>> Mayor Taylor: We have before us the clerk's report of communications, petitions and referrals.

May I have a motion to approve the clerk's report?

Moved by Councilmember Nelson, seconded by council member Disch.



Discussion of the can clerk's report?

All in favor?

[Chorus of ayes]

Opposed?

The clerk's report is approved.

We now come to public comment general time.

Public comment general time is an opportunity for members of the public to speak to the council and the public.

To speak at public comment general time, please enter the number on your screen, that being 877-853-5247.

Once you have entered that and been connected, please enter meeting ID 96707229175.

Again, 96707229175.

Once you are connected, please enter star nine.

Star nine to indicate that you wish to speak.

Having indicated that you wish to speak, our clerk will identify you by the last three digits of your telephone number when it is your turn to speak by the last three digits of your telephone number.

When it is your turn, you have three minutes to speak.

When your time is expired, please conclude your remarks and cede the floor.

Is there anyone who would like to speak at public comment?

If you have dialed in, please press star nine to indicate that you wish to speak.

Clerk caller with the phone number ending in 677, do you have a comment?

>> Hi, this is Michele Hughes.

And I'm calling in because it is wintertime and it's time to think about sidewalk shoveling.

And I'm calling in because I think that it should be one of our city's highest priorities to make sure that our sidewalks are consistently shoveled.

I think that the best and only way to do that is to begin a program of municipal sidewalk shoveling.

I think the system we have in place where right now where it's amateur people to do it on their own in a patchwork way, it's never going to -- it's never going to give us the consistency that we need in making sure that our sidewalks are something that you can depend upon to be traversable.

I have a friend who uses a wheelchair and they live just a few houses down from a about us station -- a bus stop, and all it takes is for one of those houses to not shovel their sidewalks and my friend is trapped inside all winter.

I called in to talk about this at the caucus last night and we had a good discussion about it there.

I wanted to talk about some of the things that we talked about there.

I heard -- I heard one suggestion that since this is -- since we're in a recession and a pandemic recession, that this is maybe an area that shouldn't be looking to spend a lot of money on right now.

I disagree with that.

I think we should consider sidewalk shoveling to be an essential service that the city provides.

We shouldn't expect that because it's a pandemic that disabled people in the city should be among the first to take the hit and suffer for it.

I think we need to consider their needs to be of a very high priority, and I know that we currently set as a very high priority, plowing the roads that the cars use even though it's a pandemic and I would like to put that high of a priority on shoveling our sidewalk. Of just because we haven't done it before, doesn't mean it's not something we shouldn't have been doing this whole time.

I think that we can start by -- you know, this has been talked about for many years. I know there's nonprofit volunteer organization called snow buddy in my neighborhood that has been doing it in my neighborhood and they have written some reports and been working with the staff to come up with a plan to do municipal sidewalk snow removal.

>> Clerk Beaudry: 30 seconds.

>> I want to see a resolution that could be passed even at the very next meeting saying, hey, staff, write us a -- write us a thing that could be put on the ballot, a millage proposal that could be put on the ballot at the next opportunity to get the money in place. Put a deadline on there.

Say, staff, write us up this millage proposal, and give 'em the time to do it, but it's something that we need to start addressing now.

We have been doing inactions too long.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 936, you can unmute your phone.

Caller 936, do you have a comment?

>> Hi.

This is Zachary story, and it's rather unfortunate that Jeff's box is blank right now. Oh, there you are.

I'm calling for your resignation, Jeff.

It's not something I do rightly.

As you know, I have been following city council for about a year and a half now, and I will go into just a little anecdote about my first city council meeting that I came to. I came right in when Jeff was absolutely lambasting Mlive, and in particular Ryan Stanton, the political reporter for city council.

And under our first amendment of the United States, we have the freedom of religion, freedom of speech, freedom of the press, freedom of peaceably of assembly and freedom to petition the government for redress of grievances.

And recently you also violated -- or suppressed -- attempted to suppress the freedom of speech and the freedom to petition the government for regress of grievances when you use your seat of power to target residents, concerned citizens, you know, we don't have any power except our three little minutes here.

And yes, we have things to be angry about, and your job is to sit there and take it and reflect.

And if you are good at your job, to integrate that into your thinking.

And authoritarian regimes, fascists do exactly what you do, attack the press, attack speech, attack individuals' rights to speak out, and no, this has nothing to do with your

house, even though that is an interesting story that I hope continues to develop.  
This is all about the first amendment.

And I take this very [ Bleep ] seriously, and to --

>> Clerk Beaudry: 30 seconds.

>> And to see you again and again and again, and again, and again attack it, and undermine it, it's unacceptable and you have no [ Bleep ]ing business being up there.  
Resign.

Now.

>> Mayor Taylor: Thank you.

Mr. Mayor, point of order.

>> Councilmember Hayner: Point of the order.

I am ask that you make a public comment as to the use of language in the violation of our council rules.

It is not prohibiting someone's speech to ask them to follow the rules for speaking before this body.

>> Mayor Taylor: Councilmember, we have communications from council after public comment.

>> Councilmember Hayner: Order is made when the violation occurs.

>> Mayor Taylor: What is the alleged.

>> Councilmember Hayner: Use of profanity.

It's a violation of council Rule 7.

>> Mayor Taylor: That's not true.

>> Councilmember Hayner: Yes, it is.

Mr. Postema?

>> City Atty. Postema: There are larger issues than this, that I can brief the council on, but ruling on obscenity is a whole different case law, and regarding specifically residents who speak, and so I would -- as the point of order, I would advise the mayor, certainly, if he asked that cutting off someone for using one or two phrases would not -- would not qualify.

There would be issues surrounding that and I will advise the council further as you revise the council rules, I think you are entitled to -- to look at that.

But ultimately, the mayor needs to make that determination.

>> Councilmember Ramlawi: How do we protect the public from that speech?

I mean, I'm sorry there might be kids listening.

How do -- I'm sorry.

Maybe this gets taken up somewhere else, but I'm curious as to how do we protect --

>> City Atty. Postema: I will provide further advice to the council.

Are.

>> Mayor Taylor: I will make the ruling that the use of that word and at least as a point of emphasis is neither obscene nor grossly indecent.

In a manner consistent with the advice that I just heard.

>> Councilmember Ramlawi: I appreciate that.

>> Mayor Taylor: Ms. Beaudry.

>> Clerk Beaudry: Caller with the phone number ending in 326, do you have a comment?

>> Hi, this is Jamie McGarra, ward three resident and a 30-year resident of the Ann Arbor.

I apologize for talking lightly.

I have a young one in the room.

I hope you can hear me.

I wanted to share with you the suggestion to investigate the writings and the video records of the guy named Marshall Rosenberg.

He invented something called nonviolent communication, NVC, and it's a great tool for understanding language and understanding the ways that we communicate and improving the ways in which we communicate by expressing our needs and being able to find out what other people's needs are when they are communicating as well.

And this is not to criticize anyone.

You know, there's been a lot of tension on council and whatever, but we strongly encourage all councilmembers, the mayor, everybody to check out nonviolent communication, Marshall Rosenberg.

Very helpful for me, you know.

I had my challenges in communication throughout my life and it's helped me immensely.

And so I wish everyone a happy and successful and safe new year moving forward.

And to the city attorney, you have my undying respect for your ability to stay neutral and focused and professional and just do amazing work and, again, I wish you all the best.

Take care.

Bye.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending 556.

Do you have a comment?

>> Hi, this is Ralph McKey.

Can you hear me okay?

>> Mm-hmm.

>> You bet.

>> This may sound a bit like a broken record because I have probably said this or written this to most of you at this point, but I wanted to again try to clarify a piece of the recent short-term rental debate, which is still running fairly hot on social media, some of you might know.

And that's the -- there's been a lot of statements by the owners and by some of you on council and others that the current STRs are quote, legal, end quote.

I would like to clarify that, when you are speaking in these terms you identify what you mean.

There are two arguments which that could refer to.

One argument is that the city's acquiescence in enforcing its old UDC against the STR owners and the licensing of them generally as rentals results in an estoppel of the city from claiming anything other than it's a legal non-conforming use.

That argument was made in the case that was cited by the STR openers and that argument was soundly rejected.

So, you need to think about that before you assume that the acquiescence and licensing automatically equals legal, end quote.

The second argument is whether the old UDC provisions do, indeed bar the short-term rentals.

I have never heard any comment by the short-term rental owner or their counsel or the city attorney analyzing that question.

And I have looked at the ordinance myself and I think you can read it one way, in favor of the city.

You might be able to read it another way in favor of the short-term rental owners, but that argument has never been decided.

And that argument is the argument that has to be made and decided in some way, either in settlement mode or in a litigation mode.

>> Clerk Beaudry: 30 seconds.

>> Because that's the controlling argument.

When you are referring to legally is in this way, going forward, that you are identify which of those arguments you think controls and why.

Thank you very much for your time.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 205.

Do you have a comment?

>> Hi, yeah.

This is Joe Spalding and I'm calling from Holland, Michigan, right now.

I just wanted to say that one of my favorite comedians is Lenny Bruce.

He has a pretty famous quote that goes, If you take away the right to say the word [ Bleep ], it means you take away the right to say [ Bleep ] the government.

I think this speaks to the core why the first amendment is so important and I think the rush to try to silence somebody because they use those words speaks volumes about the people that are trying to silence the individuals that are expressing themselves that way, and I don't think that it says very much about the person who uses the swear word.

So just saying that, I think that not just with nonviolent speech but there's a lot of room for growth when it comes to the understanding of the first amendment.

I think Mayor Taylor, you have a fantastic understanding.

I see you take verbal tongue lashings from some, frankly, pretty out there folks making some pretty outrageous claims and none of them are specific or attached to it you.

Maybe that makes it easier, I don't know.

I'm a big fan of the first amendment and I'm a big fan of the people becoming involved with the government and when I see people who are elected try to stop that from happening it makes me a little bit upset and it makes me disappointed but it also gives me the opportunity to showcase that to other folks, not just in Michigan, but across the nation, really, when it comes to, you know, democratic participation in a way that stands.

And doesn't just speak truth to power, but actually counters power with other types of power.

So to that end, I want to make sure that we keep inviting folks to join up on Twitter and the conversation at the a2council hashtag and I'm starting to broadcast these meetings and I will do some meetings from other city councils live as well.

We have some pretty, frankly, reactionary understandings of housing that are familiar

on this -- on this council, and made to hear some of it taken not seriously.

The reality is there's long standing segregation in every major metropolitan area in our country, and we need to get that back.

And that includes the entire zoning conversation.

So I do think that member -- so I do thank the members of council for taking that seriously.

I would like to see some cool new, bold even attempts at getting?

Resow -- getting some resolutions passed for the affordable housing discussion across the state.

Thanks, everyone.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, there are two other callers on the line, but they don't have their hands raised.

>> Mayor Taylor: Any of the callers wish to speak, please enter star nine now.

>> Clerk Beaudry: Actually, there's only one remaining caller that hasn't spoken yet, but he doesn't have his hand up.

>> Mayor Taylor: Seeing no one further, public comment is closed.

Are there communications today from council?

Councilmember Hayner?

>> Councilmember Hayner: I don't know if y'all can hear me.

Well, every time -- every Sunday and Monday night, between 7 and 12, my router is besieged by attacks from all over.

I often have to turn the video off.

I asked IT to look into it and they have been trying to help me out.

I appreciate that.

We try to talk about silencing speech and I have people trying to silence my works.

I don't know what these folks hope to achieve or how they think they will better the conversation by harassing my household like this, but, you know, that's up to them, I guess.

And I would like to point out that, you know, it is my understanding when I read the council rules and the city charter and the -- the -- you know, all the open meetings act, that, you know, speaking before this body is not a right guaranteed under the first amendment.

It's a privilege granted by the rules of this body and the rules of the state.

And there are rules for the way that you address this body.

And, you know, it's all well and good to dance around the language, but I think that it's -- we would have a better relationship with our community if we all respected those rules and if those rules were kept by the chair.

And so when I have people -- we have people calling up here and, you know, we had complaints saying my kids want to watch this for school or whatever.

Well, I'm sure that kids that are in high school have heard these words before, there's no doubt about it.

But it doesn't mean they have to hear it in this context, and it doesn't mean that we can't enforce our council rules and continue to extend that privilege to residents that they get to speak to this body, in a Carefree way, you might consider.

You know, the school board has done something terrible with public speaking. They allow a designated amount of time, and one may have something very important to say on an issue and they get 1 minute and 5 seconds because there were 30 people that showed up.

That's no good either and we don't want to go down that path.

I will say that speaking before this body is not a first amendment right, but a privilege. It's a privilege designated by the rules of this body.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you, mayor.

Yeah, I mean, I don't want to belabor the point or even seem like I'm choosing sides on in the matter, I just would like clarification on our rules and how they are applied.

So any time I before I this up, please know that I'm not trying to suppress freedom of expression or any constitutional right.

I'm just trying to better understand the rules that govern our meetings and I was under the impression that [ Bleep ] it was not language that we would use in this meeting.

Apparently, I need to read a little closer and I'm wondering how we can protect other members of the public who participate in these meetings.

It's not me that I'm trying to protect in this case.

You know?

Call me what you want to call me.

I guess that's what it means to be an elected official, you are just the lowest form of life and you can be called anything.

That's kind of what we're saying these days.

So I will work with other members that are tasked with the admin committee and the rules to try to better understand what those are and so I know for myself.

But I just will say that in the last few meetings, I have felt extremely hurried and pushed and stressed to make my points, to ask questions.

I feel intimidated by others on this body into doing the work that I have been elected to do and that is to ask questions.

And it's a very uncomfortable working environment.

It frankly is.

I feel like I'm -- at times there's a double standard being practiced.

And so be it.

I just will say it when I see it and continue to bring attention to the matter when I find it incumbering on my ability to do my job and frankly, I feel like it is.

I don't feel comfortable doing my job with at least one member of this body who constantly tries to shut me down.

And in terms of the three minutes that are given to councilmembers.

The two times on a particular matter, perhaps we can have a to let us know that our time is up soon.

We let the speakers know that we have 30 seconds.

Maybe if we had some sort of reminder to hey, you have 30 seconds, wrap it up or 15 seconds.

Or I can get a little watch for myself and try to be my own timer.

But lately it's just --

>> Mayor Taylor: Councilmember, you are at 3:25 now.

>> Councilmember Ramlawi: I don't feel comfortable as an elected official doing my job thank you.

>> Mayor Taylor: Councilmember Nelson?

>> Councilmember Nelson: Thank you.

I -- I first ran for council precisely because I felt like there was a gap and not enough basic legal understanding among this body and I think tonight is evidence where we are challenged when people are not willing to speak up with what they know so I look forward to hopefully seeing a memo -- a memo with just year one law school first amendment understanding of how it works.

I also just wanted to say something positive and that is that in the last month, there's been a lot of conversation at the university campus among the student groups about the conversations around emergency housing.

With campus space that may be available.

I want to give credit to Councilmember Grand for actually giving me that suggestion, because when we heard that u of M was transitioning to online learning.

She was the one person who voted against it.

I asked her for her advice and her advice was to go to the student groups.

There was a demonstration on New Year's Eve that was wonderful.

And it was a meeting at GEO, and a meeting with central student government and I'm just really hopeful that moving those conversations forward, I would say also about the -- there was an Mlive article about the protest on New Year's Eve and that particular demonstration was very, very moving.

Hearing from advocates who are trying to cobble together solutions for people who were housing insecure when this pandemic started.

I think we had different type of focuses going on when that pandemic started.

My focus was on a preschool year that ended abruptly and trying to maintain a connection with 3 and 4-year-olds via a screen.

I want to give a shout out that I'm hopeful about our conversations moving forward and maybe us doing a better job caring for the people in our community who need our help moving forward.

Thanks.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: I want to thank Michele Hughes for her comments about the sidewalks.

For me it was a point really well taken.

It's definitely an interest I have.

And it was something that I have written about before.

With a mother with disabilities, it hits home for me.

I'm definitely going to be following up on this, what -- the thing that I have heard a little bit about and that I'm most interested in exploring is whether there are additional grants that we can pursue as a city to put in some additional programs in place, particularly where, you know, it's most needed first and then work our way -- work our way out, make sure our downtowns are clear, our ramps are clear, so we don't have any more tragic accidented like what happened last year and then make sure areas around our



city land, our parks are clear and work out from there I wanted to thank her -- thank Michele for raising that and to take I'm definitely going to be following up on it. Thank you.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to thank staff for the postcard that they sent out reminding people to shovel their sidewalks and their ramp.

I appreciate what Michele said, but I want to challenge one thing that she said and that is we want the sidewalks cleaned as well as the streets.

And I would say we want our sidewalks cleaned much better than our streets.

So I know we don't have the resources for spotless streets at all times.

For clarification, the OMA requirement regarding online meetings requires audio.

It does not require video, and, in fact, the US Supreme Court conducted most of their business by telephone.

I find some of these meetings extremely stressful and the only option I have right now is to turn off my video and that's I will be doing.

I also have a 5-year-old living with me and so in the future, I will use headphones, but I don't think it's appropriate to have profanity being broadcast on TV at 9:00 in the evening.

So I don't know what the rules are at this point regarding broadcasts, but it's extremely troubling and whether it's against the law or not, -- [ No audio ]

People using this type of language.

And lastly, I would say that I realize that not everyone can attend caucus on fund evenings.

But I'm working on getting the caucus -- it's videotaped by Zoom, getting it edited and providing some links so that in we have information such as a presentation by a community member, such as Ian Robinson, that you can easily go to -- fast forward to that and benefit from that discussion, and one of the goals would be that our council meetings could be shorter.

So if we do, that that would be great.

Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Looking forward to the admin committee meeting next week where we can talk about rules and I still will contend that I believe that we need to start with our own behavior and those are the rule changes that -- that I sincerely hope will come first.

Of you know, to me personally, restricting speech is more obscene than the speech itself.

So as someone who has children, you know, people have different feelings about what's profane and what is not profane, and, you know.

But certainly, that what was said this evening, wouldn't -- it honestly wouldn't upset me if my kids have heard it.

They definitely have heard that and certainly worse.

So, you know, I'm just looking forward to us coming forward with -- and ways that we can -- that we can get questions also I'm hoping with some of the rule changes coming up, where we can get questions answered in a way that makes people feel comfortable

that promotes transparency and also enables us to have an efficient meeting that's ultimately more democratic and accessible to the public.

It's limiting speaking time is not about trying to control one member's speech.

From my perspective, it really is about providing everyone with this -- on this body with an opportunity to share in the discussion and to participate and to have the public be able to listen in and see it.

So, you know, I -- I think we just need to start with ourselves and if we try some things and they don't work, the great news is that we have the power to change them and walk it back if we need to.

So I hope that we are all willing to start with our own behavior and be willing to be open to some changes in we can work more efficiently and more democratically as a body.

Thanks.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Yeah.

I was surprised by some of the comment bees.

It's not a privilege to speak to us.

It's a privilege that we sit in these seats.

We had a commenter calling in and talking about first amendment, and why they felt a councilmember didn't deserve to sit on this body because they didn't feel they honored that request and they should resign.

We don't have to agree with that statement.

They were speaking about first amendment speech and the first reaction from members of this council was to suggest that we should limit their speech.

And there's a certain irony with that.

We did not -- at least, I certainly did not sign up for this somebody because I thought it was going to be a -- job because I thought it was going to be a popularity contest where politicians were somehow going to be loved.

We sit, I think at the bottom of the totem pole of folks in society.

Now, I'm working every day, like every one of you across the screen to hopefully build trust in local government so people feel really positive and excited about us, but we do that by recognizing that we're not always going to love what people say to us or about us.

But they have every right to speak to us.

We need to have a thick skin.

And I'm happy to vent with any one of you after a meeting and say, gosh, that was unpleasant, but we should not be doing that around the screen.

I want everybody to feel welcomed, to call in and if they feel like they need to vent against me, they are welcomed to do that.

That is our role in this community.

I -- to my colleague in the 5<sup>th</sup> ward, I'm certainly willing to work with you -- I think it's important that we all feel that our voices are welcomed at this table.

Any limitation that I think that I would be working on with others around brevity of meetings is really as others have mentioned to make sure that we are not having meetings that go way late into the night.

I think there's a lot of solutions in how we get there.

And we should all be talking about that, but I guess I'm a little disappointed by some of the things that have been said this evening.

>> Mayor Taylor: Councilmember Song?

>> Councilmember Song: I just wanted to be -- I will be at my first housing and human services meeting next Thursday, with Councilmember Radina and in preparing for that, I checked in with the count a and I spotted their winter warming plan and I put that on my Twitter count.

I think it's -- account I it's important.

As of yesterday, there's the county has opened their county resource center on Washtenaw and there peace sheltering on first Baptist on east Washington.

And there's a helpful information sheet too, on how they make decisions on placing the most medically vulnerable in hotels versus the Delonis shelter and other sites and what numbers to call.

That's a plan that's in place through March.

So I would encourage folks to take a look at it.

It's pretty comprehensive.

To kudos to the county for continuing that work.

As -- every time there's a threat of whether the eviction moratoriums will be overturned, the county has been pretty on top of things.

There's that and also I forgot to remind folks that the library launched the winter games today -- actually yesterday for folks who are very -- who might have picked up a code in "The Observer."

If we are looking for a good distraction during the pandemic, for the community members, I would recommend taking a look at [ald.org](http://ald.org), and participate in that.

Thanks.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: So our meeting has touched on so many big and overwhelming issues that I know we all care about.

We talked about affordable housing tonight and making our city truly accessible, particularly with respect to particularly with respect to transportation, which has economic dimensions.

We talked about -- I'm probably forgetting.

Yes, we talked about winter shelter.

We talked about many, many, many, many things and these are all -- it just -- it maybes me want to share something that I read today, I'm reading a really long memoir which turns out to be only part one, and there was a sentence that inspired me, and the sentence was "whatever you do, it won't be enough.

So try anyway "and that's what I'm feeling like when I think about on all the things that have come up at our meeting.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I just want to be able to write my own narrative, if possible, and, you know, I understand that it's a privilege to be in these seats and I'm not to censor anybody's language or shut down anybody's constitutional rights, but we do also have a duty of protecting our citizens and that's all I'm asking for is to have a meeting does this, so that this meeting

is accessible for everybody, not only for those who are willing to listen to language that some find so if we really want to be accessible to all and make it comfortable for everyone to participate, I think some of these issues that are being raised have some validity to them.

It's not a bunch of thin-skinned folks who can't take criticism.

It's trying to get this body to function so there's a lot fewer of these commentaries at the end of the meeting and we can all feel good about what we discussed and what we just did.

Sorry for trying to make that a point of consideration.

So I appreciate the conversation tonight, and I look forward -- obviously more, because it's quite unsettled at this point.

And this new body has only been together for three months and the biggest -- one of the biggest issues I keep hearing over and over again, let's get this meeting over as fast as possible.

I have so much anxiety now to be able to speak and ask questions just to get this meeting over, and I'm not sure if that's the best form of government.

So that's just my two cents.

Thank you.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank.

And I will be very brief and this, is I think, speaking to Councilmember Ramlawi's very first point as controlling his own narrative.

As someone who spoke about the length of our meetings.

I think it's to be clear where that is coming from.

I have frequently heard from my colleagues and what I have frequently expressed is a desire for us to be efficient and as productive as possible and I think that often our meetings go long because we are not enforcing our rules, because we are allowing ourselves to go over time, because we are frequently, you know, going down rabbit holes that are off topic at times.

And I think all of those things can be addressed not by hurrying people along, but by essentially making sure that we are being as productive and efficient as possible.

My goal in shortening a meeting is not to hurry you or to silence you or anyone on this body.

My goal is to ensure that the public has access to our meetings and that doesn't happen at 2:00 or 3:00 in the morning.

To the extent that we need to be more efficient or we need to find ways to shorten an agenda item or move something to another meeting to ensure that meeting is shortened that's my goal.

It's not because I want us to hurry things along or not discuss things or not have questions answered.

It's because in order for us to do our job effectively and transparently, we need to do it in a way that's efficient and transparent.

I want to express as someone who has spoken frequently about the need for us to shorten meetings, that that is my goal.

And so I hope that I am not someone who has -- who has caused this stress or anxiety

in our request to shorten meetings.

It is not to get them over with.

It's in order to be effective and transparent to the government.

>> Mayor Taylor: Further communications from council?

I would like to add one or two things.

On that last point, I will observe that -- we very rarely in our own statements where we do not go over three minutes, for the past -- I have been trying to keep a fairly close clock.

Meetings go on because questions are answered -- are asked and answered and that's off the clock and I guess that's a subject of conversation and it's important that we all as councilmembers get our questions asked and answered but there are multiple ways to achieve that goal through council questions and communications to staff before the meeting with respect to language of public comment, I guess for my part, I believe that the council rules and as I hear the advice I receive draws a distinction between profanity and obscenity and gross indecency and it's my belief that that's -- until I hear otherwise that it's our obligation to -- to accept the discomfort that is associated with occasional profanity, with language that does not reach the level of gross indecency.

It is unwelcomed for most, uncomfortable for some, but it's also the right of public speakers to express themselves in that manner.

And I guess there's a -- there's a natural tension there, and it is -- it's regrettable, I think, that when public speakers choose to use language that pushes people away, but the expression in the publish sphere is occasionally messy business.

And I guess it's something that, you know, we certainly will do our part to demonstrate respect for each other, respect for staff, respect for members of the public and I would hope through -- through that example -- I hope I included ourselves in that lite is, and by that example, hopefully move the -- the public debate to that level.

Mr. Postema, do we have a closed session today?

>> City Atty. Postema: No, mayor.

>> Mayor Taylor: Thank you.

May I have a motion to adjourn.

Moved by Councilmember Song, seconded by Councilmember Disch.

Discussion?

All in favor?

All opposed?

We are adjourned.