

ROUGHLY EDITED TRANSCRIPT

ANN ARBOR
CITY COUNCIL MEETING
JULY 6, 2021
6:30 P.M.

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>> Mayor Taylor: Welcome to the July 6th meeting of the 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 -- Indivisible, with liberty and
justice for all.

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

>> Clerk Beaudry:

Councilmember Hayner.

>> Councilmember Hayner: Here.

In ward one Ann Arbor.

>> Clerk Beaudry: Councilmember Disch.

>> Councilmember Disch: Here.

In Ann Arbor.

>> Clerk Beaudry: Councilmember Griswold.

>> Councilmember Griswold: Here.

Ann Arbor.

>> Clerk Beaudry: Councilmember Song.

>> Councilmember Song: Here.

Ann Arbor.

>> Clerk Beaudry: Councilmember Grand.
>> Councilmember Grand: Here.
In Ann Arbor.
>> Clerk Beaudry: Councilmember Radina.
>> Councilmember Radina: Here.
In Ann Arbor.
>> Clerk Beaudry: Mayor Taylor.
>> Mayor Taylor: Here.
In Ann Arbor.
>> Clerk Beaudry: Councilmember Eyer.
>> Councilmember Eyer: Here.
In Ann Arbor.
>> Clerk Beaudry: Councilmember Nelson.
>> Councilmember Nelson: Here.
In Ann Arbor.
>> Clerk Beaudry: Councilmember Briggs.
>> Councilmember Briggs:
Here.
In Ann Arbor.
>> Clerk Beaudry: Councilmember Ramlawi.
Absent and mayor --
>> Mayor Taylor: He's an attendee trying to get in.
>> Clerk Beaudry: Oh, there he is.
I will get him in now.
>> Mayor Taylor: Thank you very much.
We have a quorum.
>> Mayor Taylor: May I have a motion to approve the agenda moved by Nelson
and seconded by Disch.
Discussion?
All in favor?
Opposed?
It is approved.
Do we have communications from our city administrator?
>> City Admin. Crawford: Yes, mayor.
I wanted to make sure you all were aware that today city hall reopened after a
long pandemic-related close.
So we are open for business, online or on the phone or by mail, but if you want to
see us, we are here again.
I wanted to let council know that next Monday, July 12th we will be having an
appreciation event for staff with a variety of activities between 9 and 3 roughly,
outside city hall.
And wanted to make you aware of that.
And then lastly, we had a number of rainstorms pretty intense over the last week
and a half or so.
The city does not normally pick up bulk items.

If you are aware of residents who have rain-related bulk item disposal, the city will pick them up next week, but we do require that residents let us know that their address needs pickup.

There's information on this on the city's website, a2gov.org.

That's all, mayor.

>> Mayor Taylor: Thank you.

We have the monthly update from the chair of our independent police oversight commission.

Consider Jackson.

You have the com.

>> Good evening, everyone.

For those of you who don't know me, my name is Lisa Jackson and the chair of Ann Arbor's independent community police oversight commission.

I would like to start my comments with an update.

Last week, ICPOC concluded the fiscal year with a strategic planning retreat.

It's first one we have ever done and this last year has certainly provided us with many things to think about.

And so we spent the strategic planning session thinking about how far we have come, since the beginning of this process in 2014, with the community protesting death of Aura Rosser, to 2019 when we were first installed until now, as well as how far we have to go until policing is something we don't have to worry about anymore.

And we were certainly happy to have Councilmember Song join us to participate in the process.

Some key insights, as a reminder, I know some of you already know this, we exist to foster a transparent and mutually beneficial relationship between the Ann Arbor police department and the community at large.

And the mission kind of stands on four pillars.

First, encouraging Ann Arbor police department's respectful treatment of all community members; second, enhancing communication and the sharing of information between the police department and the community; third, promoting positive interactions between the police department and members of vulnerable at-risk and marginalized groups within community and building trust between the community and law enforcement.

We seek to do this by hosting public forums.

They share the visions for public safety and talking about what they would like to see.

So we are committed to doing that more in the next upcoming year.

Also, actively working to exam police union contracts.

And bring them more into alignment with community expectations.

So now we have the opportunity to start doing that process a little bit earlier than we first did, and so we would like to be able to have a little bit more input into that process as council is thinking about -- and negotiating on the new contracts.

We're also -- we also intent to work with even more community partners, such as those in public health, housing, faith-based organizations and neighborhood

groups to talk about oversight but also to hear the concerns of people who live and work and visit Ann Arbor.

And last, we're interested in having even more collaborations with established and emerging oversight agencies in Michigan.

And so one thing of which I'm aware is that more and more cities in the state are getting oversight.

And, you know, us being able to collaborate with them helps them to not re-invent the wheel, but the more oversight agencies there are in Michigan, the better off we all are.

And also our commission considers our annual report to be a yearly capstone project and we didn't produce one at the -- in 2020 due to COVID.

So this will be our first one.

It's mandated by the ordinance, and it details both our activities a commission, but also things about the police department, including the number and types of use of force incidents as well as the number of calls for specific types of police service.

We -- it could also include things like closure rates, the rates at which crimes are solved by different types of crime.

Unfortunately, the publishing of this year's annual report has been severely delayed due to lack of cooperation from the police department on this front, in providing us with the data necessary to complete this report.

Despite first requesting this data two months ago, and following up on multiple occasions to date, we have received zero information from the Ann Arbor police department.

And so we're not asking for complicated statistics but asking for data that they already have.

This is especially troubling because previously council provided funds to the police department to fund a specific person, part of whose job was to facilitate our commission's access to this exact kind of information.

I have actually had to go as far as FOIA for this information because it seems like that's best way to get the police department to act.

So today, I'm asking council to intervene so that we can complete our annual report as mandated by the ordinance, though we would also like to note that this situation kind of demonstrated that previously implemented sort of solutions to the communication efficiencies or in efficiencies between the Ann Arbor police department and our commission have not been very effective.

Moving on today, I know it's on your agenda to vote on three changes to the amendment -- three amendment changes to the ordinance, that governs our work.

And our commission is in favor of all three changes, but we would like to ask that you slightly modify the verbiage.

Second amendment to better reflect the spirit of change being made.

As it exists, the amendment reads in part, the chief of police may make exceptions for the commission information managers to conduct an earlier review of significant incidents generating public interest that have completed the internal

review process, including any internal review process and grievance. This exception does not apply to necessity pending criminal or civil litigation. The goal of this amendment is to allow our information managers to begin reviewing significant events before the police have concluded their internal investigation, but as it's currently worded, whether or not we're allowed to is up to the discretion of the chief of police, due to the use of word "may."

While Chief Cox might be cooperative in such situations if we have a future police chief or if he was uninterested in cooperating with ICPOC, then that chief would have unilateral ability to prevent us from performing our jobs in this case. Particularly that the communication between the police department and the commission is often less than ideal, we believe that the ordinance should be as clear as possible when it comes to defining our powers and changing the word "may" to "will," as in the chief will make exceptions for the commission to conduct an earlier review for significant events generating public interest. It would achieve, you know -- sort of alleviate this ambiguity. So we would like you to consider that, if that's something you can do in an amendment, changing the word from "may" to "will," we would certainly ask that you consider that.

So thank you for your time this evening.

As always, we look forward to continuing to collaborate with both city council and the police department.

And certainly, please let us know if you have any questions.

Thank you.

>> Mayor Taylor: Thank you, Dr. Jackson.

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.

To speak at public comment reserve time, you need to sign up in advance by contacting our city clerk.

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

877-853-5247.

Once you are connected, please enter meeting I.D. 94212732148.

94212732148.

Once you are connected, you will be notified that it is your turn to speak by our clerk who will identify you by the last three digits of your telephone number.

When it is your turn to speak, please enter star six to unmute yourself.

You will have three minutes in which to speak.

So please pay close attention to the time.

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

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

Our first speaker today is Elliott Brannon.

>> Elliott Brannon, phone number 833, if you press star 6, you can unmute yourself.

>> Hi, my name is Elliott Brannon and I'm a medical student at the University of Michigan.

I'm calling in support of item c-1:00 the ordinance that councilmembers Nelson, Disch and Radina are introducing which extends the time before rental units can be shown by landlords.

I'm originally from rural Arkansas, but I have lived in Chicago, New Orleans, Tucson, Arizona, Santiago Chile, Seoul Korea and rural Thailand and I never experienced the kind of pressure to hastily renew my lease like is the norm in Ann Arbor, Michigan.

Working with housing rights groups in the area, I have heard countless stories from students and nonstudents about this issue.

Over and over, I have heard that students have been forced to join a lease with people they don't know and don't have the time to get to know.

One student recounted being locked into a lease with someone they discovered to be violent and abusive.

From nonstudents, I have talked to people who plan to move to Ypsilanti or even Detroit because of Ann Arbor's tenants' rights crisis.

The early leasing issue being part of that crisis.

The new ordinance would certainly help to address this part, but folks I talk to go on to point out that Ann Arbor is in a housing crisis.

The houses are there.

How many properties the city owns that could be turned into affordable housing units.

Maybe that's a different issue.

Anyway, it's my understanding that G.E.O., central student government and a group of city councilmembers have done an incredible amount of work to understand the issue, talk to renters and agree that a timeline of 210 days for lease renewal would adequately protect renters.

I urge city councilmembers to continue to work to understand the issue from the perspective of renters and to support the ordinance to amend Section 8.530 of section 105.

>> Mayor Taylor: Thank you.

Our next speaker is Julia Goode.

>> Clerk Beaudry: Mayor, I don't have the next several speakers on the line.

If they are logged in to a different log, in I would need them to raise their hand.

>> Mayor Taylor: If you are -- Ms. Goode, if you could enter star nine.

I'm sorry, star nine to indicate that you wish to speak.

I see three hands raised.

>> Clerk Beaudry: Yes, I see speaker number five.

>> Mayor Taylor: Well, let's do this.

Ms. Goode is not on the -- Mr. Fleischman and Ms. Winn are not calling in the phone numbers they identified; is that correct?

>> Clerk Beaudry: That's correct.

>> Mayor Taylor: Let's roll with speaker number five, the speaker that we know.

We will cycle back to the three speakers that we are skipping.

Hopefully there will be three hands raised and then we will be able to cycle through that by the process of elimination.

>> Clerk Beaudry: Mayor, I do have Mr. Fleischman if you want to go by speaker three.

>> Mayor Taylor: Yes, our next speaker is Amir Fleischman.

>> From Fleischman, you can press star six to unmute yourself.

>> Hello.

My name is Amir.

I'm a graduate student at the University of Michigan.

I'm a member of G.E.O. and I'm very excited that our proposed amendment is at its third first reading.

I would really like to thank the sponsor, Councilmember Nelson, Disch and Radina.

I have to say it's a little bit frustrated.

It sounds like that the numbers are being debated by members of this council.

I just want to say this again, the people that spoken loud and clear, 210 days is the number.

I really, really hope that number is not changed in this meeting.

It's a little bit unbelievable to me that some members of council think they know better than renters on this experience.

The 30 days between 180 and 210 day makes a big difference in our lives.

We're telling you this.

Listen to us.

This was reached by a grass roots between G.E.O., undergrads and community members.

You don't have the authority to override us.

I also wanted to talk about just cause part of the ordinance.

There's been a little bit of fear that this is something that the landlords would litigate the city over.

Ann Arbor likes to fancy itself as a progressive camp.

If it wants to claim that mantle, it needs to take some risks.

This is a bold first initiative protection.

We need this.

We are desperate for this kind of protection in this town.

As the previous speaker noted, the situation for renters here is worse than in most major cities.

A victory of this kind in this town will allow other jurisdictions in Michigan to implement it themselves.

We need you to be leaders and even if the landlords do sue you, fight them in court and win!

That's what the court system is there for.

Renters have rights.

Give us 210 days, it needs to include just cause eviction.

I have the right to the quiet enjoyment of my residence.

That right is violated every time the landlord tells me I have 24 hours to renew,

after having been lived there for less than three months.

You are the government.

Stand up to the landlords.

Thank you.

>> Mayor Taylor: Thank you.

Ms. Beaudry, do we have Avery Winn or Julia Goode that you are aware of.

>> Clerk Beaudry: I do not see either of them, but I believe we have the next sequence of speakers.

>> Mayor Taylor: Very good.

The next speaker is Tom Stulberg.

>> Clerk Beaudry: Mr. Stulberg, caller 534, you can unmute your phone by pressing star six.

>> Good evening, this is Tom Stulberg calling from Lowertown.

I want to talk about a couple of items.

The first one is c-1 and I want to call in with the respective of the small landlord.

I know I'm different than the large landlords.

I do support the tenants on this issue.

Being a small landlord, we'll be able to flex.

Whether we are following other landlords or following tenants, we will be able to manage.

I'm not worried about the exact number of days.

I do caution you about the level of detail in the law that you are writing.

It's not a matter I will take.

You are wading in pretty deep and I want you to make sure that you have good legal advice.

I wanted to talk more about DC-1.

I didn't want to talk about.

This people call me, people stop me on street, please, Tom, will you speak up?

Why are they asking me?

They are intimidated.

They know I will stand up to bullies.

They have seen me do it.

They are intimidated and that's what this is really all about.

It's not really about fully spoken of John Lennon and Yoko Ono's song that was contextually relevant to their conversation.

This is about the bullying and intimidating and not just of one councilmember but of other councilmembers and private citizens.

Anyone who is not on the mayor's team.

This is latest in the history of bullying and lying and whatever it takes to win.

We saw that in -- and I won't say that in the word that starts with s but we saw that in the last election.

And it's been going on for a long time for mayoral allies and his associate media minions.

I had to call the police.

There's been attempt to physically intimidate me by mayoral appointee.

One appointee, excuse me.

But other harassment, cyberbullying, cyber attacks, but I stand up to the bully for the people who are intimidated to do so.

>> Clerk Beaudry: 30 seconds.

>> What else is this about?

This is about a diversion from other issue.

There are serious alleged actions against another councilmember, that have gone quiet.

This is covering that.

And there are campaign contributions from interests whose wealth will be greatly increased if you pass something that you are going to talk about tonight and that's tc1.

And I will say a name right now, of many names -- no, I will save the name.

>> Clerk Beaudry: Time.

>> You all know because you got donations.

>> Mayor Taylor: Our next speaker is Michelle Hughes.

>> Clerk Beaudry: Michelle Hughes, caller 677.

>> I had this is Michelle Hughes.

And I would like to talk about what it's like being a trans person in politics right now in the city.

And how Jeff Hayner has affected life for me.

So, you know, my girlfriend Aria is the person would filed a recall petition against Jeff Hayner because as soon as we saw him using -- as soon as we saw Jeff Hayner using homophobic language and not backing down from, it we knew that we were going to be put in danger because LGBT people and particularly trans people, are already very precarious.

We -- almost every person that I know who is trans has a go fund me link to fund their basic life because they can't rely on emotional or financial support from their families usually.

They are afraid when they walk down the street.

Just three weeks ago, a trans woman was attacked with a box cutter in a hate crime here in Ann Arbor.

And so this is why LGBT people are concerned about Jeff Hayner's use of hate speech, and it's not about bike lanes.

It's not about -- it's not about zoning, and Jeff Hayner is not a victim.

We have essentially been working on the recall effort.

We have gotten transphobic harassment online from both anonymous people and people using their own names.

Someone published an article on a blog using aria's picture, and identifying her as transgender right there in a thread about people complaining about recall effort.

Jeff Hayner himself posted our address on a thread about people complaining about the recall effort.

People intensely discussed our personal lives on the Internet.

We have -- now on a different occasion.

>> Clerk Beaudry: 30 seconds.

>> -- talked about -- never mind.

So we have been knocking on doors.

We have been trying to get the recall happen, and we have been getting some pretty -- some pretty intensely aggressive responses, people have driven by and flipped us off because they knew who we are and what we are doing.

We're being bullied.

We're not safe.

We're looking up -- we're shopping for bulletproof vests when we go out there to fight for our own safety and that's what this is about.

>> Clerk Beaudry: Time.

>> And if councilmembers are sticking up for us, that's good for them.

>> Mayor Taylor: Thanks.

>> Because we're dying.

>> Mayor Taylor: Our next speaker is Anne Bannister.

>> Clerk Beaudry: Anne Bannister, you can unmute yourself.

>> Hello.

This is Anne Bannister.

Sorry, can you hear me?

>> Mayor Taylor: Yes, we can.

>> Okay.

Thank you.

I would like to give a shout out to all of the elected officials and residents who love Ann Arbor and are working to maintain our beautiful city and improve it.

You know who you are.

I'm calling tonight to urge councilmembers to vote a powerful no on DC-1.

Julie Grand's complaint and the request to reprimand Councilmember Hayner.

I'm disappointed that Councilmember Grand and Mayor Taylor are dragging this issue on to yet another council meeting.

This is a major embarrassment to the city of Ann Arbor to be playing dirty politics with lies and misrepresentations like this, when there are so many other critical issues facing our fine city of Ann Arbor, even on the agenda tonight.

Hayner -- this is the case of where Mayor Taylor and his allies are clearly trying for voter suppression.

If Councilmember Hayner was clearly elected in 2018 and it's the voice of the people that we cannot have silent.

He has served us well on the energy commission, the center of city and most importantly, as a deep knowledge expert on the Gelman dioxane plume.

It's a huge double standard that in 2019, when another councilmember was arrested for driving two times the blood alcohol limit, we gave that councilmember the full benefit of the doubt and professional courtesy.

We allowed him five weeks to leave the -- his membership on the independent community police oversight commission, and he never left the city planning commission.

Currently, we have a councilmember currently serving who has credible charges

about sexual harassment at her workplace, credible charges about false information on her campaign literature, and yet there's no talk about her and reprimanding conduct unbecoming those other councilmembers.

So other issues that I wish you would focus on.

Our storms in June have shown that the city is dramatically under engineered for stormwater runoff.

Wards 1 and 2 have an ongoing problems with stormwater runoff at toll brothers and Trinitas development.

Tonight you will look at tc1 upzoning, which on paper looks good but it will dramatically increase wealth of property owners without community benefits and on and on.

If you want to help ward 3 African Americans in town, there's a lot of other ways to do it, than this attack on Councilmember Hayner.

Not least of which is to allow Tony Brown from ward 3, a seat on the residential equity and zoning commission.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Thank you.

Our next speaker is Julie Ritter.

>> Clerk Beaudry: Ms. Ritter, phone number 310, press star six and you can unmute yourself.

Go ahead.

>> Good evening.

This conversation is realistic continues in Ann Arbor as elsewhere, there's a large group of citizens watching and keeping track of the way the city administration is implementing the disenfranchisement of residents and citizens from the planning process of their own future.

Lack of proper planning whether you call it a master plan or a city plan or something else is driving piecemeal ad hoc planning by city staff that excludes stakeholders.

Slicing and dicing the planning process into smaller less accountable pieces hides the true intention and the extent of the vision for massive high rises across the city from the site of the average person, who is preoccupied with their every day life.

The administration are going major planning without the robust inclusion of all stakeholders.

Ann Arbor is a leader in the shift of real estate ownership from individuals to corporations.

Developers who corporatize, they willingly carry out the wishes of their donors.

Endless cycle of donations that leads to the extraction of wealth and concentrates upwards in the 1 to 10% is a sad effort of the political economy.

There's a difference between affordable rent and affordable ownership.

As real estate is corporatized we get less ownership and agency.

Very convenient for developers.

This disenfranchisement is not based on race, gender, or ethnicity but the insidious influence of what is becoming an oligarchy here in Ann Arbor.

A different aspect of this endless rush to build is that our buildings are unprepared for climate change.

Our codes and standards are based on a climate that no longer exists.

Stories are coming out about how current buildings will fair.

How many more 100 year floods we will have this year?

The population puts college age students in five years.

The university may not suffer the effects immediately but within 30 years when there are more deaths than births it certainly will.

Will we be left with towering fivlas.

Instead we have a paternalistic series of knee-jerk reactions focused on whatever hot button issues make the most money for developers and keep current councilmembers in place there's no way that Ann Arbor will build its way out of the climate clang that's coming.

>> Clerk Beaudry: 30 seconds.

>> Consumerism and more are hurdling towards the city.

A robust community might have the resilience to successfully that of Gate the changes to come, but this administration's policies are focused on other priorities.

It will be monuments to late stage capitalism.

When they wonder how their an eight-story building is built next to their home, without their knowledge, we will be able to tell them.

Thank you.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Our next speaker is Blaine Coleman.

>> Clerk Beaudry: Mr. Coleman, phone number ending in 941, press star six.

Go ahead.

>> This is Blaine Coleman.

Recently every one of you city councilmembers, except one, cast your vote just like a bomb against the Palestinian people.

Every one of you, except one.

Well, you threw your weight against the whole Palestinian people, to save Israel from criticism, you have effectively signed on with the Ku Klux Klan.

That is what Israel is.

Look how they lynched thousands of Palestinians with your money.

Councilmember Griswold, you broke your promise to bring a resolution against military aid to Israel to the city council.

That resolution would have saved a lot of Palestinian lives.

You smothered it.

You got on your knees and apologized for even bringing any kind of resolution mentioning Palestinians to the city council.

What a bloody shame.

You will live with that the rest of your life.

Councilmember Hayner, you, many times promised to bring the resolution against military aid to Israel to city council.

And you broke your promise.

That's a real shame.

I hope you live a long, long time and have to think about that every day while you see Israel massacre more and more Palestinians.

You could have stopped it.

The rest of you -- the rest of you are a hell of a lot worse.

The rest of you never made the slightest squeak about bringing a resolution, a human rights resolution for the Palestinian people to this council.

Disch, Song, Radina, Grand, Nelson, Eyer, Briggs, how on earth can you live with yourself?

When you are effectively an accomplice to the murder of so many Palestinians.

You can't even bring a simple human rights resolution to this council that would protect the Palestinian people?

Why?

Why on earth not?

>> Clerk Beaudry: Time.

>> Mayor Taylor: Thank you.

Our next speaker is Mozhgan Savabieasfahani.

>> Hello, can you hear me?

>> Mayor Taylor: Yes, we can.

>> Okay.

My name is Mozhgan Savabieasfahani.

Can you hear that, Mr. Mayor.

I have been here for 20 years.

You still mess up my name.

Anyway, I'm going to be talking about Palestine again.

The apartheid state of Israel is set to receive another \$3.3 billion of our tax dollars to keep killing more people in the Middle East.

This has come after an unprecedented Ann Arbor protest and global outrage calling for sanctions against that racist state of Israel.

\$3.3 billion could have been spent on education, health and housing right here in America!

That \$3.3 billion could have been spent on global vaccination in Africa, South America, and Asia, where past U.S. foreign policies have left devastated communities, often suffering on the U.S. installed dictatorships that have made the life of every community a living hell.

The next time someone asks you why do they hate us, tell them, because American liberal democracy is a bunch of racist and brutal bastards which accommodate the worst wishes of American fascists.

Everybody remember Vietnam?

More than 3,000 people in this town demanded on May 22nd, that you approve the resolution against military aid to Israel.

They Marched right outside of the city council building.

Do you remember?

You turned a blind eye to them as you have turned a blind eye to me for 20 years!

You are a bunch of racist bastards.

Hayner, Griswold, they have gone back on their word to bring the resolution to the city council.

You will be judged for these racist actions.

Not only by the board but also by those who you depend to love you.

Every single one of you.

Councilmember Griswold, Disch, Song, Radina, all of you, your hands are filthy with blood of Palestinian children.

If you can sleep at night, it's because you have no heart or soul.

You are monsters.

Elizabeth Nelson, you are a monster.

Jen Eyer, you are a monster.

Ali Ramlawi.

You are a monster.

You have the blood of Palestinian children on your hand.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Thank you.

>> Pass our resolution to stop military aid to Israel.

>> Mayor Taylor: Thank you.

We now have two speakers who we were not able to address earlier.

We have Julia Goode and Avery Winn.

Let's roll with 604, perhaps -- or is that alternate one?

Ms. Beaudry, are you aware of --

>> Clerk Beaudry: I have Ms. Goode on the line as well as our alternate.

>> Mayor Taylor: Very good, our next speaker is Julia Goode.

>> Clerk Beaudry: Julia Goode, phone number 728, press star six to unmute yourself.

>> Okay.

Hi, this is Julia Goode.

I want to talk about the housing proposal, the premises but first I have to say as a Jewish residence of Ann Arbor, if you could bring peace and justice to the Middle East, that would be fantastic!

But I think that's probably out of your control.

What you can do is improve some of the housing situation in Ann Arbor.

Ann Arbor has had a super low vacancy rate forever and there's a real need for affordable housing but there's a real need to have a little fairness for the people who are renting places.

And I want to stress that this isn't just a student issue, that this is a big issue for the -- I went to school in the '80s here and I'm here now and there's lot of people my age who left.

I had a lease that started in the end of August, and the first week in December, I was told because I didn't immediately sign the lease for nine months in the future, they were going to start showing my unit.

And it was crazy.

My response was this is the first week of Hanukkah, my mother is in the hospital, I don't know if my employment will stay, and their response is oh, wow, that's Ann

Arbor.

And that's ridiculous.

That's not Ann Arbor.

That's landlords know they have all the power and being bullies for no reason.

There's no monetary benefit to force me out of my housing.

So I really want to give my support for improving the current housing and for the extension that Nelson -- Councilmember Nelson is proposing.

I think it could go a lot further.

Portland, Oregon, where I used to live is in a similar situation and has passed much stronger protections so that tenants aren't forced out of their existing housing.

And it would be great if there was some inclusion in this proposed ordinance for saying that, you know, huge rent increases are also a way that you force people out of housing.

It's an easy way to practice discrimination because people think there's no way to fight.

You get a huge rent increase because landlords own it and they can do whatever they want.

But you can make rules.

Other businesses have rules, and I -- I sense that a lot could be done to improve the housing situation and it is something very much that the council has the power to do and a lot of tenants, the majority of the city is tenants and I think it's time you started doing stuff for them and not just people with money.

Thank you.

>> Mayor Taylor: Thank you.

Ms. Beaudry, I gather Avery Winn is not available; is that correct?

>> Clerk Beaudry: That's correct.

I do not see Avery Winn.

>> Mayor Taylor: Thank you.

Our next speaker is Eric Lipson.

>> Clerk Beaudry: Mr. Lipson, phone number ending in 604, up mute yourself, press star six.

>> Hi, everybody.

Isn't this incredible that we can all speak from wherever we are.

I'm in Ann Arbor on rosewood and I don't know where you are, but it's great that we can all talk and hopefully have a civil conversation.

It gets a little out of control sometimes and it's scary sometimes.

You know, I agree with Blaine but he's going a little over the top to say the least.

You can't solve the Middle East problem at this point.

And we don't -- you know the problem is such a huge one bringing it down to this level doesn't help us.

Anyway, I wanted to speak on a couple of things.

I will do it in order.

First, tenants' rights issues, adding to the amount of days the tenants have before they have to commit to a second lease is not just a tenants rights issue,

but a human rights issue.

I was a -- my first job was an attorney for student legal services and later as the acting director at the University of Michigan student legal services.

And I can tell you that the landlords have incredible amount of bargaining power in this town and having to force someone to make a decision about an apartment to rent before repairs, significant repairs have been made to the apartment and only promises is given is not an unusual situation.

I strongly being strongly support all of those people who spoke today in favor of that.

The next issue, I'm calling from rosewood street, as I said and I'm going -- I officially represent my neighborhood on rosewood here on Packard and page and Jewett that will have traffic calming measures.

They will be made non-through streets and I also support the traffic -- very strongly the traffic efforts for Baldwin between Packard and stadium.

I think we have to take our cars -- excuse me, take our cities back from automobiles.

The automobile, especially in a town like this, has taken over so much of the high percentage of our town, and I applaud the city council for the steps that you have taken in that direction and I applaud -- even though I'm not sure the efficacy of some of the improvements with the bike lanes down on Ashley.

Great ideas.

Okay.

Next, on my topic, lights on Packard.

You know, it's a student area.

Those lights -- there's no lights on Packard between stadium and --

>> Clerk Beaudry: 30 seconds.

>> -- and state street and that's a crime.

It's a high crime area.

Drive down it city councilmembers at night tonight, and if you tell me that that's an adequately lit street, I will pay you \$10, I promise.

That street needs some pedestrian lighting.

It's a 24/7 student pedestrian area.

That's why it's not getting any attention.

And so that's something that's important.

Anyway, that's all I had to say.

It's such a privilege.

Thank you.

>> Mayor Taylor: Thank you.

Are there communications today from council?

Councilmember Radina.

>> Councilmember Radina: Thank you.

Just very briefly, I wanted toll let residents know that on July 18th, at 2:30 p.m., Councilmember Grand and I will be hosting a ward 3 coffee hour, actually just across the street in ward 4 at York on Packard.

And so if you would like to join us, we encourage you to join us to talk about

issues related to the city.

Thanks.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: Yes.

I wanted to -- I was going to announce what Mr. Crawford announced, but my understanding of the timing was different.

So if I have it wrong, please direct me.

I wanted to let residents know that the waste pickup will start today, through Saturday.

It's limited to items suffered in water damage in the rain events of June that and 26th but you need to request this by phone and you can do so at 734-794-6320.

So this is a big help for people who are -- you know, I can't imagine my basement didn't flood, but my 240-volt things got knocked out and some kind of sewer surge.

So we are all -- power surge and so we are all dealing with aftermaths here.

I hope that's helpful.

I wanted to mention a ward one specific thing that there will be a meeting this nurse morning with staff at 9 a.m., at the Trinitas development site on Hilldale. To address concerns about flooding.

So folks in our neighborhood, if you could like to speak in respectful and reasoned and calm ways with staff about the flooding happening from Trinitas, please join me and other folks Thursday at 9:00.

>> City Admin. Crawford: I want to thank Councilmember Disch on correcting me on the timing.

I'm a week off with the holidays.

>> Mayor Taylor: Excellent.

I have Councilmember Song.

>> Councilmember Song: Today is the 18th day in the united way's equity challenge, that started on Juneteenth.

The topic is the process of allyship and how it's a continual process that we have to work with -- work at and be intentional about.

I encourage folks to be that.

It's not too late to sign up.

It's at the united way of Washtenaw County's website.

It's daily challenges and daily readings and we all love to read.

There's also a notice on S.O.S. community services and it's helping folks out with federal relief from the C.E.R.A. program.

And this is for eviction.

So these are eviction funds that folks can use to pay rent, pay utilities, pay for Internet bills and if you are having an issue with a current landlord, I'm hoping a resident who is helping an immigrant landlord in a difficult situation and there are funds that will follow the family.

So you can move from one insecure housing situation.

And that's SOSCES@evictions.org.

Thanks.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I heard from a few residents in ward four, who were curious about the Scio construction was delayed.

Just today the city updated the page about that construction, but I wanted to offer a little explanation to anybody that hadn't seen it just yet because it's literally hours ago it was posted.

So the Scio church project will take place over two construction seasons, due to delays and coordination with the hauling operations of the Churchill downs basin project.

So it will start after Labor Day this year, including south maple and in 2021, this will be a detour to continue the milling and the paving.

That will be delayed to coordinate with the Churchill downs basin project.

>> Mayor Taylor: Council Manitoba eyer.

>> Councilmember Eyer: Thank you.

Just a quick announcement that at the next meeting, I'm going to be introducing a resolution to place a charter amendment on the November ballot.

This is going to be aiming to bring the charter in line would council policy with respect to the procurement of the construction contracts.

As many people know and some don't, currently our charter requires that each contract for public improvements or for supplies and materials shall be let to the lowest responsible bidder.

And this has come up previously at the table but in the past few months, it's become really apparent that this charter provision is preventing the city from fully implementing the responsible contractor policy that was passed by council last year.

The responsible contractor policy, of course, gives city staff a framework for gathering important information from bidders regarding things like the skills and the training of workers quality of work, safety of job sites and more.

This information is then to be weighed in order to determine which bidder provides the best value to the city.

It's -- I like to compare it to buying a car.

Most people don't just automatically run out and buy the cheapest car that can get next from point a to point b.

Most people weigh a whole range of factors that are important to them and then choose to the vehicle that best balances cost with desired features.

So that is the process that was set into policy by council last year, but which is being largely prevented from being put into practice by our current charter language.

So just a heads up that this is coming and I wanted to let my colleagues know that I welcome any questions as we are continuing to finalize the language in advance of the next meeting.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you, and welcome, everybody.

I hope everyone had a good 4th of July.

I know that we have received many emails complaining about the fireworks this

year as they continuously grow in volume and days with everything passing year. I think we might want to do a better job heading into next year's season with explaining some of the rules requirements, laws and just giving some proper etiquette, so people are not affected as they have been.

Real quickly, I wanted to move on to -- there was a big development last meeting that went under the radar, and that has to do with trash collection in the downtown in the business district areas of our city may include parts of central campus.

I would imagine.

We are finally seeing the wheels of city hall move in the right direction when it comes to trash pickup and there will be soon 20 dumpsters I believe, located in areas once the staff is out with the right stakeholders and placing 20 dumpsters to have Sunday service, which I think will dramatically improve the sanitary conditions or lack of in our alleys and streets throughout our city as much of the waste is produced on the weekends.

So I want to put some light on that.

It took many conversations and many years to have that breakthrough.

And lastly, I know a lot of people have been afflicted in ward five and throughout the city with the road closure of maple road due to the water main break.

I'm hoping that that project can be repaired as fast as possible.

I know it sustained significant damage, but hopefully we can work on getting that repaired because we are -- we are getting lots of reports of unsafe motorists driving through neighborhood streets.

Thank you.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thank you, Mr. Mayor.

The first thing I would like to do is post dedicate tonight's moment of silence to former first ward rep, Bob Johnson who served the city from 2001 to 2007, in the first ward.

He was a pretty hearty steward of the public land.

He saw the implementation of the green belt, and he also stepped in and established the bluffs park, which is -- I think it will serve a critical open space need among the north main corridor as the city continues to develop.

I say he will be missed and folks will miss and folks of stature and contract don't come along too often.

I sympathize with his friends and family and those who new knew Mr. Johnson.

Under the changes to the state recall law regarding the public majority in Lansing, I think back in 2016.

They have a right to petition people to force a recall election.

Indeed, petitioners or their paid circulators are allowed to roam the neighborhoods, knock on doors, ask for signatures on their petitions.

It's part of state laws.

And I heard from people in ward one, and they can say what they want about me and about the city and about other folks on council.

In some cases, it appears to me to be -- to -- they are exercising the right to

distort and mischaracterize or lie about my speech.

That's okay.

That's allowed under the law.

So if you are a ward one resident and you have no interest in signing this petition, just be polite to these people because they are acting within the law.

You know, if you don't want to sign the petition, be polite and there's no need to display contempt or anger for their efforts.

I think that's least we can do that there's mechanisms in our democracy that are -- are designed to function a certain way and we need to let that go on.

So I just ask folks to be decent out there.

Thank you.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I was proud to see really robust efforts from a couple of commissions that I'm lucky enough to be I liaison with.

The Ann Arbor housing department and the parks department.

So I just wanted to recognize those efforts.

I also wanted to recognize the efforts because she was not willing to do it herself, Councilmember Song was really instrumental in getting out a survey that's circulating in the community about needs for child care before and after school. And she worked, I know, with trustee Dupre and some others and I don't need it myself, but I read it today, and it was a survey by somebody who knew how to write a survey.

It was comprehensive and inclusive and easy.

So thank you for that, Councilmember Song.

It was outstanding and really important work addressing a need that we continue to hear from so many members of our community.

I will also be working with Mayor Taylor in the weeks to come on drafting -- it's not really called a statement of solidarity but standing with the members of Beth Israel congregation who while legal have been subjected to really deplorable behavior not last 18 years.

If anyone is interested in joining us, you are certainly welcomed to do so.

And looking forward to seeing constituent with Councilmember Radina on the 18th.

I appreciate his efforts in keeping us organized and looking forward to our first in-person coffee hour.

And I do want to just say, speaking of in-person, I have caught that cold that's going around now that we are not wearing masks all the time.

So if I do turn my camera off momentarily, I apologize to my colleagues.

I'm trying not to subject you to my virtual germs.

>> Mayor Taylor: Council member Griswold.

>> Councilmember Griswold: I have a couple of thank yous and a couple of statements.

Now that staff is back in the building, I want to acknowledge the work of the administrative assistants during the pandemic.

They were in many ways the connection between council and the city, and I

really appreciated everything that they did.

I also want to thank the community members who submitted videos of the stormwater runoff.

And explained how they were actually standing out in the middle of the storm trying to keep the water flowing into the grates so that they didn't clog.

I usually before a storm go out and clean the grates in my area.

But with this storm, it took multiple times.

I ended up having a log that was 6 feet somehow in the middle of my yard.

I have no idea where it came from and a couple of other logs in my backyard that I do know where they came from.

So this was really a powerful storm.

I will be working with the environmental commission on an amendment to the 820 plan to add the language to not only monitor stormwater and flooding, but to something stormwater and flooding.

We need a plan to do that.

This storm has shown that we cannot be resilient without better stormwater infrastructure.

And lastly, I would like to invite the mayor and the councilmembers to an on-site visit to the crosswalks on Huron parkway at glacier to see exactly how they are operating, the speed of the vehicles, the fact that drivers are passing on the right-hand side not the left-hand side.

Two lanes are slowing down.

Anyways please join me and let's look at what is actually happening.

Thank you.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: Now I'm unmuted.

I'm glad to hear that there's a staff appreciation day.

They deserve kudos for managing the severe storms and the flooding that's come about and the response to that.

So thanks for that.

And in particular, thanks to the response to the water main break on maple road. That was something not anticipated.

And a real problem for folks in the fifth ward and it's due to wrap up by August 10th, so hopefully we will be through this soon.

I appreciate the police department to look for creative D.C. look for different solutions for managing traffic as folks have been trying to do dangerous cut throughs on smaller neighborhood streets.

I would urge folks to regardless of how they are traveling through the city, if they are following the detours that those live on Miller and, they are part of our neighborhoods and drive througher through that.

In terms of my constituent coffee hours, I moved to in-person.

I'm holding them on the Sundays before council meetings rotating through parks across fifth ward with the exception of this last Sunday, 4th of July, which I took off.

If you want to nominate a fifth ward park, please reach out to me.

>> Mayor Taylor: Further communication from council?

I would like to recommend the following nominations for the transportation authority board, Roger Hewett and Susan Pollay, and to the Edith Juno and Nicholas Stevenson.

And also resolution to appoint Jonathan Overpeck to the energy commission.

Both to be considered -- all this to be considered at our next meeting.

So folks now that we declared a climate emergency in 2019, and during the pandemic, we unanimously approved the A2Zero carbon neutrality plan which is a path for equitable, justice driven carbon neutrality by the year 2030.

To achieve this goal requires action on the part of others but mostly on the part of ourselves and to do our part and to help community members face existing climate change we need to do a lot of things.

We need to move forward with zero waste with comprehensive composting and recycling.

We need geothermal and solar, and honestly neighborhood renewable energy installations.

We need to help low-income residents save money and improve comfort, including with net zero affordable housing and weatherization.

We need to build neighborhood community and resilience centers, equity, driven tree plantings and greater heat and flood monitoring.

We need to invest for residents and businesses to improve comfort and we need to do a lot more than this too.

We lack the necessary resources.

And so just as we went out last year, so do to ask voters to approve a 1 million, 20-year climate action millage.

You will see this and the proposed youth resolution.

Folks demand that Ann Arbor lead and no issue is more important than climate change.

Folks demand that we constantly improve basic service that keeps equity and justice front and center.

Residents can band together and better and equitably respond to climate change that is very much upon us.

I very much look forward to that.

We have the consent agenda.

Moved by Councilmember Nelson and seconded by Griswold.

Discussion of the consent agenda?

>> City Admin. Crawford: Sorry, mayor, Mr. Delacourt is here to respond to some councilmember questions regarding CA-6.

>> Mayor Taylor: Thank you.

Mr. Delacourt.

We await you.

>> Good evening.

I got here as fast as I could, payer.

I did.

I revved two questions regarding CA-6 which is the DNR grant for acquisition of a

portion of river front property, associated with the DTE project approval that took place PUD approval, approved by council and currently being reviewed for construction: The two questions is why is there no cost to the city?

I was asked if the grant preparation cost the city any money to put together.

My response was no.

Grants, applications and preparation are part of the normal course of business.

There was staff time.

There were probably 20 or 30 hours of staff time in there, and that was assisted with the Smith group.

A lot of information guess for the grant was part of the site plan and PUD approval.

There was not that that much necessary.

There was probably between I guess 15 and 30 hours in there fully loaded costs are probably between 80 and \$120 an hour.

The second question is what is the conservancy that was mentioned one the requirements is so stand up a conservancy, that will manage the public space that is pay part of the private development that conservancy is required to be stood up by the developer and endowed.

I believe it was for \$1 million or \$2 million.

I don't that number in front of me.

They will be responsible for the public open space going forward as a non-profit entity.

And the operation will be with that conservancy regarding in the city were to accept a grant, if we were to purchase this property, the ongoing operation and maintenance would be in an agreement with that conservancy to cover the cost of that long term.

>> Mayor Taylor: Thank you.

We have before us the consent agenda which has been moved and seconded.

Discussion?

>> Councilmember Hayner: I would like to pull CA-6.

I had a couple additional questions.

Thank you.

>> Mayor Taylor: Further discussion.

All in favor of the consent agenda with the exception of CA-6, please say aye.

Opposed in the consent agenda with the exception of CA-6 is approved with 11 members present, thus satisfying the eight vote requirement with respect to CA-1, that is all.

CA-6, resolution to approve a grant application to the Michigan Department of Natural Resources grants management for the acquisition of land and site improvement along the Huron River for \$7 million.

Mr. Hayner.

>> Councilmember Hayner: I had a couple of residents reach out to me and ask about the boundaries the potential ag significance of this space.

And is there -- is there a way that despite that -- you know, I mean the city approved the site plan.

Is there a way to adjust, negotiate or otherwise try and modify the boundaries of the property that the city may purchase or ground lease or whatever the case may be moving forward, either after this grant is hopefully approved or before we vote on -- you know, before -- you know before we vote to accept the grant? In other words is it set in stone what we will purchase with this money if we do have the good fortune to receive this money?

>> That's a good question.

I don't 100% know the answer to it.

It's something I can look into.

We are submitting the grant application and the resolution.

We are not accepting the money.

There is the opportunity to continue discussion and dialogue with the DNR.

I would have to check with them.

The definition of the area was designed to allow conservancy to have enough open space to generate revenue for itself, it includes some of the amenities.

The city is not buying all the amenities.

It's the amenities that the city determines are most important.

Those areas are set aside for a reason, I believe there would be the opportunity to have that discussion if council so desired.

>> Councilmember Hayner: So there are a lot of folks who are not happy about the know of the development going up to the riverbank and wish the city would control all the access to the riverbank by the riverbank and in looking back over the site plan that we -- that we essentially approved with the approval of the PUD, it showed that there was a restaurant and hotel basically on the river.

It's just speculation at this point but the concerns were should the city maintain access to the public water way and are there any state considered of access to the public waterway on both sides of that site?

I know there's all kinds of places up and down the Huron where there's individual houses and that's their front yard essentially.

Like out closer to fuller and so on.

I'm wondering if there's any -- on behalf of the residents' request, that there's any consideration.

I would like to have a conversation but what we may or may not purchase with this money and the excess we might -- we might want to have.

>> I don't want to give any false hope.

We are purchasing the space between the proposed development and the river front as part of this and the other side of the proposed restaurant and hotel, there's a continuous connection.

That's part of the desire of the state to use this acquisition money because it maintained the trail way.

If we were to get into potential purchase or portions the ground as part of the PUD, that would have significant repercussions on the financing of the project not only for the developer but for the T.I.F. and the remediation.

>> Councilmember Hayner: I'm sorry to interrupt.

I think the consideration was access to that river front is all.

Make sure I couldn't find a map.

>> We have one for sure.

>> Mayor Taylor: Thank you.

Further discussion.

All in favor?

Opposed?

It is approved.

We now come to a set of public hearings.

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

That's to say the specific subject of the public hearing.

Speakers at public hearings do not need to sign up in advance but their speech must relate to the specific subject matter of the public hearing.

To speak at a public hearing, please enter 877-853-5247.

Once you are connected please enter meeting I.D. 94212372148.
94212732148.

Once you are connected further, please enter star nine.

Star nine to indicate that you wish to speak at that public hearing.

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

You will have three minutes in which to speak.

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

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

Public hearing number one.

An Ordinance to Add Sections 5.12.9 and to Amend Sections 5.15, 5.16.3, 5.17.4 and 5.20.4 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?

>> Clerk Beaudry: Caller with the phone number ending in 955 do you have a comment?

>> Good evening, council, Kirk Westfall 3505.

I wanted to speak in favor as staff have pointed out in the multiple reports the tc1 district is the result of over a decade of extensive public input and planned in my mind there's no benefit to continuing our outdated and harmful zoning practiced throughout the city and I hope the city sees fit not to just to approve but to pursue the rezoning of our arterial roads as soon as possible.

They are low density, Large nonresidential and polluting.

There will always be a market for the type of establishments in our neighborhood, the sooner we can rezone and we can stop allowing more of this type of construction and filling our finite city land with more and more fancy strip zoning.

This is an important step and an effective tool in allowing car light transit supportive housing that will finally start to relieve the upward pressure.

Thank you.

>> Mayor Taylor: Thank you S. there anyone else who would like to speak at this

public hearing?

>> Clerk Beaudry: Caller with the phone number ending in 644 do you have a comment?

>> Do you hear me?

>> Mayor Taylor: Yes, we can.

>> My name is Kathy Boris.

Several years ago one of renowned former city councilmembers objected that the city was taking what she called a ready, fire, aim approach to expanding the AAATA.

Tonight city council may be taking the same sort of backwards approach to bringing transient-oriented development to Ann Arbor.

Transit-oriented development is a good idea.

It provides many, many advantages to a large city or metropolitan area that has regional transit and local transit in place.

But Ann Arbor has neither regional or local transit what we do have are two things a local feeder bus system, AAATA, and alternative transportation in the form of pedestrians, bikes, scooters, et cetera.

The AAATA and alternative transportation, by themselves will not make a transit corridor successful.

What is needed is actual transit, light rails, subways, us about rapid transit, something on that order.

Something I don't know our current bus system.

Are there current plans to bill local -- build local and regional transit?

If so, who will pay for them.

Transit-oriented zoning is adopted after transit is in place, rather than before.

Some landowners along designated t1 corridors or tc1 corridors may reap windfall profits when the values of their properties increase due to the rezoning.

Will we ask anything of them in return for the exist of the t1 zoning?

Apparently not because the legislation text for this t1 proposal includes this statement.

Quote, specific requirements for sustainability measures are affordable units have not been incorporated into the t1 proposal zoning district, end of quote.

>> Clerk Beaudry: 30 seconds.

>> That's surprising regarding all the talk regarding sustainable that we hear from the planning commission and city council.

I hope you will not approve t1 without incorporating substantial affordability requirements.

Thank you for listening.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Adam Jeskevich.

>> I live on Las Vegas drive in ward 4.

Super close to the west stadium corridor is that is part of this and I wanted to call in and mention I'm super excited for this.

I support it wholeheartedly and I am looking forward to being a short walk from one of these tc1 zones.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 604.

>> Eric Lipson again.

You know transit-oriented development in theory is a great idea but my only concern is that in order to make it really work in a community, you need to buy-in. The things like the Valhalla development in which the master plan is violated by a function of five, as far as the density goes.

So I'm concerned that we not get too carried away with call the glitter of tax base improvements to the exclusion of all else.

That always seems like that's the undercurrent of development.

That was the crux of Valhalla.

The costs of development oftentimes outweigh the benefits and the tax base, the services and the wear and tear, the utilities.

So I think you have to think twice about density as far as being uniformly good in all circumstances and I certainly endorse what Kathy said about making sure that there's equitable division of both resources and benefit.

So the benefit and the burden are shared equality.

That's part the issue with environmental justice.

Who is it -- what neighborhoods will suffer at the benefit of the high-rise buildings?

Or all of the questions about the traffic that's generated.

It's always a function -- when I was on planning commission, that was probably the number one thing we heard about was people's concern about traffic.

So I think that can alleviate some of that, if you funnel the traffic the right way, not down the side streets as councilor Grand said.

Don't just cut through the side streets, these residential streets that are not designed for it.

And are dangerous with the capacity of cars and traffic going down them.

>> Clerk Beaudry: 30 seconds.

>> It's a good idea but I think we need more public input and a lot more thought.

There's no hurry here.

The land isn't going anywhere.

The developers are all going to be chomping at the bit because their property values will go up.

So let's have a real process.

Do something like the Cal Thorpe process, which was a series of public events.

That is usual and that's what the city council needs to know.

Let's make the decision all together.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 534, do you have a comment?

Press star six to unmute yourself.

>> Hello, this is Tom Stulberg again.

I'm calling from lower town.

I have been a real estate professional for 25 years and participated in master planning processes in Ann Arbor and other communities.

Here I participated as a citizen in a2d2, the lower down area master plan process.

Those were both very good processes.

We have a model for how to do it right.

This process was not don't right.

It's not in compliance with the Michigan zoning enabling act.

Zoning ordinance is a codification of the master plan into and enforceable law.

It can not be divorced from the planning commission.

Essentially what we had is we did have a master plan revision process.

But it was done by the planning commission and a very limited number of people instead of as should properly be done by the community at large.

So what did we end up with?

We ended up with a proposal which enriches the individuals and companies who not coincidentally are the main donors, large donors to many councilmembers in the mayor's campaign.

These development industries will see their wealth increase day one, because land speculation has always occurred back to the founding of Ann Arbor.

As soon as you grant this potential, their land becomes worth more overnight.

They can sell it the next day for more money than it's worth today.

In not progressive.

The citizens of margin are progressive.

-- the citizens of Ann Arbor are progressive.

We taxed ourselves for affordable housing.

This is classic republican supply side voodoo economics.

Hope they do something that benefits us.

A progressive policy here would demand that we get something Mack that meets our community goals.

We states.

We wants the planning commission to bring this back to council.

It's right there in the resolution.

You directs planning commission to do that.

Think did not do that.

Have them do their job.

Include a premium or tradeoff to get some affordable housing mixed use where it's not otherwise required and please, please add additional stormwater management.

We cannot make up for the existing infrastructure that's out, there unless we get it from new development.

>> Clerk Beaudry: Time.

>> We can't make them do it but incentivize them to do it.

Please do that.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 205, do you have a comment?

Hey, this is Joe Spalding and apologies if I'm not on point.

I just had my appendix removed and it was kind of messy.

This is the type of legislation that needs to be modeled in every city in Michigan.

Honestly and it's extraordinarily painful, currently.

It turns my gut to hear a bunch of frankly white, wealthy, landlords try to give every excuse, NIMBY excuse in the book not to incentivize real development when we are in the middle of a housing crisis.

Not only are we in the middle of a housing crisis, but the middle of a climate crisis.

There's a lot of sweating going on and it's also -- it's everywhere because we're super hot, and know if anyone knows this, but this week in California in the central California and Nevada, it's over 100 degrees.

And then we have the stuff that happened in the Pacific northwest last week.

We know we are in the middle of the climate crisis and not building house, and throwing up the same excuses we've been throwing up.

And they will get echoed across the state, throwing those excuses up over and over again will lead to climate catastrophe, and frankly the rich landlords who are trying to stifle their competition, are climate arsonists.

That's it.

Full stop.

Thanks, everyone.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 677.

Please star six to unmute yourself.

Caller 677, do you have a comment?

>> Hello?

Hi.

This is Michelle Hughes and I'm calling to say that I'm excited about the tc1 zoning.

I'm a human.

I'm not a car and therefore, I like -- I would like more things to be built on a human scale.

I would like more destinations to be reachable in a small amount of time and I'm also as a human being I'm someone who likes to have friends and neighbors and so I'm happy to have more opportunities to have them.

When I talk to people who don't -- who were not lucky enough to buy a home when houses were affordable, got in makes much difference to them, like, whether, you know, a -- whether the -- which rich person is benefiting.

So don't -- yeah so I don't think it makes a difference if it's single-family homeowners making a ton of money as their land value increases or someone develops that into more homes.

The question is can they live here or not live here.

And if there's not enough homes then they can't live here.

If there are enough homes then they can live here.

So I would like to see more homes.

I would like to see them posted together so it's easier to get to one to another, and I would like to them closer to destinations that we might want to go to.

So please go ahead and approve the transit zoning.

>> Mayor Taylor: Thank you.

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

>> Hello, this is Ralph McKee, 1116 red oak.

Can you hear okay?

Yes?

>> Councilmember Hayner: Yes.

>> Mayor Taylor: Yes, we can.

>> Clerk Beaudry: Yes, we can.

Go ahead.

>> I have a couple of comments.

One, I would echo what Mr. Stulberg and Kathy Boris said.

I think there's two things going on here.

One is the things that we can predict pretty accurately will happen if there is passed.

The land which will be -- which 1:00 rezoned or will be rezoned will become more valuable.

We have a lot of data on that and I think that's pretty clear that the land speculation will happen.

The other benefits that we're -- that have been discussed just by the last couple of callers affordability, mixed use, climate, sustainability all of those are pretty much wishful thinking, unless you figure out a way to really incentivize those pieces and there's none of that in here.

There's no incentivization to get affordable housing or to get sustainability.

We're not requiring sustainability in any of these buildings that will presumably be built.

And assuming that these other benefits will magically happen is really nothing more than wishful thinking.

And there is a way to provide some incentives, just so we can at least get some money out of some developers or to provide for affordable housing or to require some elements of sustainability.

To do something that would get real change done that we all want.

To just -- to just provide developers with something that they want with nothing in return and hope that it's all going to work out it might but it also might not and it might not work at all.

This level of thinking on some of the detail has been pretty impressive but the big picture, what is going to happen is really not thought through here and we really need to incentives that will make those other goals happen rather than just wish for them.

Thank you.

>> Mayor Taylor: Thank you.

Caller with the phone number ending in 556, do you have a comment?

>> Clerk Beaudry: Anne Bannister do you have a comment?

>> Hello.

Properly places transit corridor development is a good thing.

I would like to agree with Eric Lipson and Kathy Boris and Tom Stulberg and Ralph McKee that this particular ordinance is not ready.

I would like to echo the comment that it go back to the city planning commission and particularly the new residential zoning and equity committee needs to take a close look at this because I like the other callers am seeing a huge up zoning for the property owners and the developers without a clear community benefit and I agree that's magical wish full thinking.

It's republican side supply side trickle down, hoping it will be generous to the community, which never happens.

I would like the new equity and zoning committee and the planning commission to strengthen the sections of this about affordability and sustainability elements and stormwater management as we have seen the city is under engineers stormwater protections and a hot of us have suffered a lot this June with unexpected expenses and inconvenience.

So there's a huge wealth transfer going on with this, the way it is written without commensurate community benefit and I agree that if -- if we were to look closer, if we asked staff to prepare a list of what property owners are benefiting, we would find no coincidentally a huge overlap with the mayor's donors and related attorneys and developer interests.

So please send this back to the planning commission and the residential equity and zoning committee.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Adam goodman do you have a comment?

>> Yes.

I'm joining here to support the transit corridor zoning proposal.

I have joined several meetings over the last several months.

I guess really years even.

I remember talking about this in 2019.

So I first want to start by commending the city and the planning commission and council over the extensive public process that shapes this proposal.

I think it's achieved a really good result.

Like some of the earlier callers, I live near the west stadium corridor.

Just tonight I saw pictures of a huge line of cars lined up waiting for the drive thru at chipotle and that's the current environment.

It's filled with cars and that's not what the community wants and that's documented in the current master planning documents, going back years or decades, but it is what the current zoning enables and encourages.

Over the last year, several more car-oriented and traffic-driving proposals have been proposed.

A big self-storage, a drive thru bank, yet another drive thru.

Chipotle was interesting because it was existing.

We need it change the zoning so that this is not what we keep getting what we want is walkable areas.

To the points about sustainable.

Dense car light will be more sustainable and affordable than a lot of what gets built here, even if it's done at market rate.

Building parking is expensive, both in terms of dollars and in terms of the cost to the environment.

If this is what we are concerned about, why don't we start looking at sustainability and affordable housing development for single-family developments.

I think that's all for me.

Thank you.

>> Mayor Taylor: Thank you.

Caller with the phone number ending in 379, do you have a comment?

Press star six to unmute yourself.

Go ahead.

>> Hi, this is Lynn Borsick.

Can you hear me?

>> Clerk Beaudry: Yes.

>> Mayor Taylor: Yes, we can.

>> I live in ward 5.

I'm not a landlord.

I have grave concerns about this transit-oriented zoning proposal.

I think that it needs to go back to planning commission.

The concerns I have is that it's supposedly, according to the intent statement going to improve affordability and improve sustainability but there's no requirements whatsoever in this ordinance that would bring those things about.

There's height limits and they can be extremely large, and minimizing parking requirements but there's absolutely nothing that's actually going to cause these benefits in the ordinance.

So we are opening the door for developers to come in without getting benefit.

I don't see anything in the least that will reduce traffic.

Not that I think you can zone that, but on the other hand, there are things if we want to achieve certain goals with this change, we need to include those specific things in the ordinance, and that has not happened here.

It therefore needs to go back to planning commission and I disagree with one of the previous callers saying that there's a lot of public engagement.

I think the vast majority of people in the city don't know about this and will not be happy when they see it.

Thank you.

Good-bye.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, I don't see any other callers on the line for this hearing.

Oh, one more.

Caller with the phone number ending in 367, do you have a comment?

>> Yes, this is Brian timbers.

2815 ember way in the third ward.

My understanding of this ordinance resolution is that it's being done in advance of the city master planning process.

There were a number of council and the previous council would stayed on through this council would said it was important and urgent to improve our transit supported development capabilities in the city before master plan process update went through.

And that's my understanding of how it got to this council.

Many are new to this council, but they clearly are looking forward to it, and I'm actually supporting it.

At first, I was concerned because it didn't strictly follow transit-oriented development frameworks and capabilities.

Transit is not detailed, sustainability is not detailed, affordable housing is not detailed.

Heights are unlimited.

It's not the a idealized version that I would have suggested but we don't live in an ideal world.

I'm a bit concerned about people calling in and decrying it, who themselves in the past have not actually advocated for increasing density across Ann Arbor.

In fact, they have been on council.

They called in.

They repeatedly advocated against housing density.

So it doesn't surprise me that they called in once again with regard to this t1 district proposal.

I'm still not sure I'm hearing them advocate for density.

I would encourage council to follow through the master plan update.

We do need a broader approach.

We need transit-oriented development.

This one is going to encourage the ordinance and if that can benefit density, I'm okay with that, essentially if we can rationalize the transit-oriented development and rationalize the transit plan, AAATA, and all the rest of that.

It's hard to do that all in advance.

I'm a bit surprised that people would have to say that you have to have all the transit planned in advance.

We don't live in a socialist state.

I'm surprised I'm saying that, but I don't know what central planning capabilities people are inferring we have the ability to do.

>> Clerk Beaudry: 30 seconds.

>> It just doesn't make sense.

So I think that our evolution.

Transit will follow density and that's okay.

And the last thing is Ann Arbor is a -- [Garbled audio]

And we value it and we want to increase its value.

Developers have a role to play.

It's shocking, it's not the type of economy we live in.

It's not how progress occurred.

>> Mayor Taylor: Thank you.

>> And I will leave it at that.

Thank you very much.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the bone number ending in 326.

>> This is Jamie McGarra from the third ward.

I wanted to first reference sort of the historical aspects of conversation in our community in terms of transit-oriented development.

Actually it's been probably over a decade now that conversations about density and the connection to transit-oriented development were brought about either through staff or through community and didn't even further back into conversations about density that came out of green belt.

It's a larger part of the conversation.

There are different pieces of.

This I want to pull back and look at the science.

We know that the science of planning has shown that these types of corridors can contribute to the affordable housing, towards access to resources, people being able to get to school.

Education, food, and healthcare.

20% of a family's budget is transportation.

It frees up people participating in the community.

So with the science there and with the long conversations that have been happening now in our community for, again, at least over a decade.

I think it's time to take some tangible steps and this is a great opportunity to take tangible steps to get us towards that goal.

We don't have all the pieces in place.

I don't think that's possible at this time, particularly coming out of the pandemic.

We don't have the ability to manage all of them.

It involves transit agencies and other entities that were in the process of bringing on board to contribute in different ways maybe.

>> Clerk Beaudry: 30 seconds.

>> I'm encouraging council to support this.

I think the pieces will fall in place once the city of Ann Arbor exercises leadership on defining transit-oriented corridors and development.

Thank you so much for your time.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Brandon Dimchaff.

>> I wanted to call in support of tc1 corridor.

I have been following this for a while, and I think it's on balance a good thing for us to do here.

I guess I had one complaint, it's that it doesn't go far enough, but that is the comprehensive land use program does.

Almost certainly, I'm one of the biggest beneficiaries of a constrained housing market and just trying to equate the existence of supply and demand to some republican talking point is -- is disingenuous and, like, supply and demand exists whether we like it or not.

And we do not have enough housing.

My house is inextricably worth more than it was two years ago.

While I suppose I should be thankful, I'm worried about all the people who can't afford to live here but want to.

And so hopefully this makes some impact in that but we are years and years behind the number of units we need for the people who want to here.

Let's get going.

We elected five of with you a two-to-one majority.

I think we just -- you have to make this decision, and I look forward to seeing this happen.

Thanks.

>> Mayor Taylor: Thank you.

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

>> Clerk Beaudry: Mayor I don't see any other callers on the line.

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

Public hearing number two, An Ordinance to Amend Sections 5.18.3, 5.18.4, 5.17.3, 5.37.2.A and 5.37.2.S, to Add Sections 5.19.6 and 5.33.6, and to Repeal Sections 5.30.1 and 5.30.4.B 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?

>> Clerk Beaudry: Mayor, I don't see any callers on the line with their hands up for this hearing.

>> Mayor Taylor: Seeing no one.

>> Clerk Beaudry: Oh, I have one.

Caller 534, do you have a comment?

>> Hello, this is Tom Stulberg calling from Lowertown.

This came pretty quick.

I don't know if I'm calling about the right public hearing.

This is for the replacement of the planned project modification?

>> Mayor Taylor: It is.

Yes.

>> Thank you.

I do want to support this proposal.

The planned project modification was a very problematic part of our ordinance.

This replacement that's very specific and understandable, if complicated but understandable possible by developers so they know if they give us x, then they can get y.

Variations of setbacks.

If they give us affordable housing or sustainability, then they can get the premiums.

We don't necessarily use that word all the time but similar to our downtown

premiums.

This ordinance does it in such a way that developers are incentivized to meet our community goals and needs.

Why aren't we go doing this for tc1?

We have this plan here.

We desire for affordable housing and sustainable measures that we are asking developers to help us meet by incentivizing that.

Why are we not are doing that with tc1.

Those are other models.

This is a third one.

This is a good one.

I hope it will see some affordable housing units built or money put into the affordable housing fund.

And I hope it will see more sustainable building and we are giving developers something in trade for that and there's absolutely no reason not to do that in tc1.

Please support this and I also ask tc1 to do the same.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: I don't see any other callers on hearing.

>> Mayor Taylor: Is there anyone else who would like to speak at this public hearing?

Seeing no one this public hearing is closed.

Public hearing number three.

An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions), Sections 1:214 and 1:215, Title I of the Code of the City of Ann Arbor To Amend Commission Appointment Process, Add Exceptions to Allow Earlier Review of Incidents in Limited Cases, and Increase Number of Information Managers.

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

>> Clerk Beaudry: Mayor, I don't see any callers on the line for this hearing.

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

A-1, work session of June 14, and regular session meeting minutes of June 21, 2021, moved by Nelson and seconded by song.

Discussion of a-1.

All in favor?

Opposed?

They are approved.

B-1, An Ordinance to Add Sections 5.12.9 and to Amend Sections 5.15, 5.16.3, 5.17.4 and 5.20.4 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 Briggs, seconded by Councilmember Eyer.

Discussion of B-1?

>> City Admin. Crawford: Mayor, we have the planning manager, Brett Lenart to respond to some council questions that came in earlier today.

>> Mayor Taylor: Thank you.

>> Good evening, Mayor and Councilmembers, Brett Lenart, the planning manager.

We received several questions on item b-1 that I will go through.

First in response to written questions to the agenda, height limits were offered in feet.

Please convert those numbers into approximate measure of stories and a comparable building of that size that currently exists in Ann Arbor.

That is approximately how many stories it is and what is a comparable existing building at ex-eight.

For example at 55 feet an example that would be approximately four stories and an example of a building that is being completed right now is 950 green.

75-foot building is the yard at 615 south main, and 120 feet building example would be the 13 story hub building at 603 east Huron, and a building at 300 feet would be approximately 29 stories, at 300 feet that would be a building similar to the tower plaza at 555 east William if you add an additional few stories to that building.

The maps show areas that are in keeping with the District 2, the district to be located proximate to a transit corridor, with an existing fixed transit service.

And all parcels should be know more than one half mile from a transit stop but it doesn't cover all areas described.

Virtually every parcel would be available.

What is keeping a developer from asking for tc1 out of the mapped areas.

Will they be added for the comprehensive use.

>> Nothing would prevent them from petitioning.

The city doesn't have the ability to prohibit that but any, of course response to that would be reviewed according to the policy documents and ultimately the city council would make that determination whether or not that rezoning should be considered or should be approved or not.

These proposed maps are not being added to the master plan.

The master plan process is -- would be updated through.

Gentleman find the requirement of 100 feet in the proposed ordinance.

Can you point that out.

Absolutely in Section 6, there's a table that identifies nonresidential uses are required on the first floor and any portion of a mixed building located within 100 feet of an intersection of two public rights-of-way.

Furthermore, townhomes and apartment buildings which would be all residential buildings are prohibited to occupy those -- that same geography within 100 feet of two public rights-of-way forming an intersection.

Council resolution, r24349 asks for sustainability measures yet these are not considered.

Can the resolution be sent back to planning for these elements?

I think you heard from the public on sort of a replication of some of the dialogue that happened at the planning commission that the prototype of development being proposed with this district would be sustainability.

It would have the opportunity to reduce vehicular miles traveled and reduced the

physical cost of development in those areas.

But I guess city council could refer this back to the administrator and the planning commission to direct both staff and the commission to further consider those provisions if desired.

With the ordinance amendment at first reading to reflect the maximum height of 120 feet and greater than 300 feet from r zones.

If not, can language be prepared to do so tonight at the second reading.

>> There was no change made at the first reading if there was a desire that a maximum height of 120 feet would apply for all areas greater than 300 feet, the language would likely be as follows: A motion to amend Section 7 of the proposed ordinance to modify the tc1 height regulations.

That would be to replace 120 feet between 300 and 1,000 feet and 300 feet more than 1,000 feet from an r district.

That phrase would be struck and be replaced with 120 feet more than 300 feet from an r district.

How with -- many components of the city's master plan, this typology of development through the proposed zoning district.

The unified development code and these proposed amendments are intended to implement the policy set within the matter plan documents including the land use plan and the recently adopted comprehensive transportation plan, and the south street -- the south state street corridor plan has a couple of specific examples.

And those are the all the questions I have.

I'm happy to address anything else that comes up.

>> Mayor Taylor: Thank you very much.

Discussion of b-1.

Commissioner dish.

>> Councilmember Disch: Is it pressure.

Yes, it did, because of the housing crisis.

There has been over a decade of public input on transit corridor zoning which has been gathered over the course of the processes that went into building several hand use and transportation planning documents.

In addition to the south state street corridor plan from 2012, 2013, the land use element of the comprehensive master plan of 2009 -- man, I'm out of millennial and the comprehensive plan that we just approved on June 7th.

Can we do this here without light rail?

And us about rapid transit and trains?

Well, yes.

We have bus corridors, travel corridors that have frequent bus service now and can accommodate additional buses, as needed.

When the post-pandemic bus service begins on 8/29, just in time for the university to come back in session, the buses will run every 10 to 15 minutes along all of these corridor, except maple road, where they run only twice per hour.

Development of housing units in Ann Arbor is an historic low.

Our housing crisis is a supply crisis.

We want more units in a part of town where the rents will be lower and where people will not have to drive to their jobs.

So that they may reduce their transportation costs.

Which is as one of the callers pointed out, one-third of the typical household budget.

The second largest piece, next to rent or mortgage.

Affordability and sustainability will be served by adding large numbers of housing units where market rates are lower than downtown, and locating those on bus routes that people can use to get to work.

The planning commission in exchange for additional height out of the concern that this will make development prohibitively expensive and we will get nothing.

The heights are limited.

And I will not say -- I will not try to go through those complicated numbers, because Mr. Lenart just laid that out for us, but if a -- if a building proposed for a transit corridor is located across the street from a residential neighborhood, that building will not be larger than four stories high.

Thanks.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: Thank you, Mr. Mayor.

You know, I -- I listen to these callers just like you all did.

I have done my research on.

This tried to view and follow as many of the meetings as I can and sum it up.

And, you know, my takeaway is that this is -- this is -- we have good goals here.

We have the proper goals here but it's a poor approach to it.

And the fact that planning commission didn't put in specific incentives in response to council's request for such tells me that they have other tanker things in mind here, that there's some wishful thinking going on, and the caller who spoke to why don't we do these things for residential or single family zoning, well, we did do something to r4e and it's been terrible.

It hasn't worked for us.

It's created single family houses that would be better if they were townhouse style, they would be more sustainable and make better use of the land and leave more open space and/or have more room for more housing if we didn't adopt r4e.

And the reason r4e, it was not specific and it didn't calculate and incentivize the type of housing we needed.

And neither does tc1.

Without asking for it, we're not going to get it.

And money can be made anywhere here in Ann Arbor, by developers.

I doubt we'll scare away development.

If we scare away the type of development that isn't interested in providing affordability or sustainability or any of our other city goals good.

We don't want that type of development.

We want the type of development to afford our goals and for that reason and more, I will explain in a moment, I'm going to move that we do send this back to planning commission.

I move that we send this back to planning commission to add in specific affordability and sustainability incentives and some other things I will describe later.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Ramlawi.

Councilmember Hayner, you still have the floor.

Councilmember you are inaudible.

>> Councilmember Hayner: I'm unmuted can I be heard?

>> Mayor Taylor: Yes.

>> Councilmember Hayner: Thank you.

I'm not sure what that was.

The -- there's some things in here and I think you all saw the email from former Ward Leif.

We have lots of things in this zoning that are not helpful.

One of them is a two-story minimum.

There were one-story buildings that would be considered non-conforming if this passed in these -- in these new zoning districts passed.

And those are buildings that are, you know, essential buildings to the fabric of our community, stadium hardware.

Krogers, artist farm stop, buildings like that.

I think the two-story minimum building requirement is needed and I think we need a full mapping of the tc1 zones and I think we need to incentivize -- I think we should lower the minimum heights and incentivize on top of that things like increased stormwater management, increased affordable housing as a percentage of total units increased adoption of mixed use of site plans and increased use ever electrification and other A2Zero goals and any other things that keeping with our community goals.

This does not come forward with that.

>> Mayor Taylor: I have Briggs, Grand, Griswold, Ramlawi on going back to planning.

I think people have an understanding of how they will vote on this.

Can we just move this along?

Councilmember Briggs?

On back to planning.

>> Councilmember Briggs: Yes thank you.

Regarding that topic, I have no interest in seeing this move back to planning.

Planning commission has done its work.

This is -- the criticism that there is no process on this, is just -- it's not founded.

We have heard about the number of plans that this is in.

We have got at least six of our city plans that support this zoning and quite honestly, one of the most frustrating things for me when serving on planning commission was to see us do incredible planning work, and not translate that into -- into action and to code and that's our responsibility to use the work and these planning processes and the public feedback that we get and to month of forward with it.

So I will save my other comments for later.

>> Mayor Taylor: Councilmember Griswold on the referral back to planning?

>> Councilmember Griswold: If this is going back to planning, I would like staff to consider the sight distance triangles at intersections, as well as the setbacks because what may be appropriate downtown where you normally have traffic signals, I don't see that happening and I know behavior had lengthy discussions about the gas station on the corner of Packard and stadium, and the problems there.

So I'm wondering if Mr. Lenart could better define what needs to go back to planning.

I mean --

>> Yes.

What I have heard so far from the proposed motion would be that this zoning should incorporate provisions that require building efficiency that is among the minimums established by code and affordability requirements in order for any development to occur or for a -- or for some tiered approach, perhaps, similar to the downtown premiums.

So I guess as to what we -- I'm not asking for anything.

That's what I'm hearing that if it were to be referred back, that the direction is to investigate.

As it relates to visibility, we have visibility requirements that are part of our site plan review requirements.

Those are incorporated in our specifications.

So those are going to apply unilaterally across all of our development.

>> Councilmember Griswold: Are you saying the sight distance is the same along stadium or Washtenaw in the downtown area?

>> I think it would be reviewed by the same standards.

I think they take into account the right-of-way and the width of a sidewalk and the buffer and how that would function, but I can say that, you know, I don't conduct that engineering civil review, but those are being looked at now.

Those would be considered to be looked at to make sure that they are functioning in an appropriate manner.

>> Councilmember Griswold: Okay.

Thank you.

>> Councilmember Ramlawi: Thank you.

I appreciate the motion to refer this back to planning.

I do believe many of the us if not all of us are in favor of this notion of increased density along transit-oriented corridors, but I believe that this measure right here is incomplete, and with all due respect, it's half baked.

We have no specific requirements for sustainability measures or affordable units to be incorporated in this zoning district.

That is a big -- we're falling short big time.

The conversations that we're having and continue to have all are based on sustainability and affordability.

We are on the precipice of changing the land use in our community to a big

degree without putting in the assurances that we get what we are looking for and that we are just going to leave it up to the market to provide these things.

And the market does not provide these things, as we have seen.

The market has created a problem that we currently are experiencing.

In fact, tonight we have heard another proposal to add another 1 mill tax rate at the end of this month that is huge.

We are not asking to put in changes with this zoning change.

I believe the right thing to do is to put this and codify it and ask for it at a time like.

This we have one bite at the apple and it's now.

It's now that we have to ask for the sustainability measures and the affordable housing goals that we want in these changes.

To do anything otherwise, I believe, does a huge disservice and really, is going to cause people hesitation on supporting any other measures that we take in fighting climate change.

If we are only doing it in selective ways.

This is the time and this is the matter that we do it in.

Not by just raising people's taxes.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I wanted to just correct myself, I meant r1e was the residential zoning that hasn't really worked out for us up the street.

The -- Mr. Lenart spoke to a couple of things.

I would also want to have additional stormwater considerations put in place.

Without going too far down the road here, this have been some very innovative things that have been done in residential, primarily residential areas in other states and other cities to make attempts to naturally mitigate stormwater, where it would be difficult to control the water, as part of its propensity to be part of the land.

That's a long shot.

Better is to ask people to increase the amount of stormwater that they do on new development.

And so that's another thing I would ask for.

Again, I want everyone to -- who supports increased density and new building in the city to ask themselves do we believe that these buildings that will be built under this will be standing in the year 2030.

If you believe they will be built and standing in the year 2030, then you need to send this back to incentivize the type of buildings that we want in our community in 2030.

Don't just let people build things up.

Don't just let people build, you know, excessive embodied carbon, expand our heat island effect, kick the stormwater management crisis down the road.

And, you know, I'm not -- I'm not holding my breath over the equity and zoning committee to -- to come up with a solution to this either, because you know, we had some callers use some odd language, talking about rich white people.

Nothing without us is for us.

Will they come up with on an equity solution for our housing woes.

Nothing about us without us.

Send it back to --

>> Mayor Taylor: Councilmember.

>> Councilmember Grand: I will be voting no on this and I what want to echo a couple of things one that Mr. Lenart has explained to us that this housing is in line with the sustainability and affordable goals.

He's the expert on this, along with a number of experts around country that support this.

I will come back to something that ward 3 resident Ryan chambers said --

Dr. Chambers is not someone who is an under thinker, and I say this with all due respect.

And he told us don't -- you know, I don't love everything about this are but let's not let perfect be the enemy of the good here.

This is excellent work by planning.

We could pick at it, and make it so hard to build anything that nothing would get built, but that's not my goal.

So I'm going to be voting no on this, voting yes on tc1.

Thank you so much.

>> Mayor Taylor: Further discussion?

Referral back to planning commission.

Roll call vote.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Sorry wrong thing.

No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: Yes.

>> Councilmember Song: No.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the main motion.

Councilmember Hayner.

>> Councilmember Hayner: Thanks, Mr. Mayor.

I would like to move that in table 5.17-4, mixed use zoning dimensions and the confluence of the row tc1 and column height we strike the first caption which is minimum two stories.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Ramlawi.

Councilmember Hayner, you still have the floor.

>> Councilmember Hayner: I described it earlier.

We don't want useful practical buildings and we had people oh, lordy, we will

discourage development.

Well, there's no better way to discourage a new grocery store than saying they have to have a minimum of two stories.

Do we count little buildings that they have up on the half second floor.

How fine do we describe it when they say two stories.

I think it's appropriate to strike that.

Why do we have a problem asking for some minimum amount of sustainability or affordable but here we are saying hey, we want to minimize size.

That tells me we are trying to maximize our taxable value and don't create an entire class of existing properties that are considered outside of the code now.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: Mr. Lenart, I wanted to ask if you could respond to that.

Why we chose that, because much of this ordinance was developed before I was on planning commission.

I'm hoping --

>> The minimum two stories was -- it was discussed quite a bit for some of the same reasons that are being discussed this evening.

Ultimately the ordinance that was recommended by the planning commission, did include that minimum requirement.

The basis for that, is I think consistent with some of the dialogue here, for example, the stormwater impact of a footprint, whether it's one or two story is comparable.

Also, very consistent with goals of trying to find alternative ways of transportation land use links to reduce vehicular miles traveled.

Part of that success is to establish a pedestrian-friendly orientation.

We have sort of a convention and an experience set of multistory buildings in many of our downtowns that have demonstrated that that is a comforting arrangement for that to be successful in the communities.

So those are some of the reasons why that was included.

There was a provision to provide for single story buildings set quite far back on the proposed district.

The intention of that specifically was to allow sort of perhaps an incremental redevelopment of those properties where you might have some existing single story buildings but the opportunity to infill on perhaps open yards or parking spaces would be done in the proposed form presented.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, Mr. mayor.

I be opposing this amendment.

I actually could think of cities all over the world that have incredibly successful models whether we have retails and pharmacies on the first floor of residential buildings and if what we are looking for is to transform our transit corridors into these walkable hubs where businesses have built-in customer bases, I can't think of a better way to encourage businesses to locate than to have customers living above them.

But -- but if we're looking to continue the exact same layout that we have now with no additional housing, then -- then this is the way to go.

But I can't support that.

I'm looking for increased housing in these areas and building housing on top of retail is not unheard of it.

It's done successfully all over the world.

>> Mayor Taylor: Councilmember Nelson.

Councilmember, you are --

>> Councilmember Nelson: It takes me a while to get the button pressed.

I want to come at this from a different angle.

If it the concern is to create many buildings that non-conforming.

I can speak of having sat on the zoning board of appeals where we look at non-conforming properties and the decisions that have to be made regarding that.

It's not concerning to me that they are non-conforming.

There are non-conforming buildings around the city.

I want to thank Councilmember Radina to bring up the idea of housing on top of commercial use.

It's logical if there's a commercial use.

That's a logical time when a resident is not at home and then at night that space above is useful for them.

I will not be able to support this amendment because two stories is perfectly sensible.

>> Mayor Taylor: Further discussion.

Roll call vote, starting with Councilmember Nelson on the amendment.

>> Councilmember Nelson: No.

>> Councilmember Briggs: No.

Had.

>> Councilmember Ramlawi: No.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: No.

>> Councilmember Griswold: No.

>> Councilmember Song: No.

>> Councilmember Grand: No.

>> Councilmember Radina: No.

>> Mayor Taylor: No.

>> Councilmember Eyer: No.

>> Clerk Beaudry: Motion fails.

>> Mayor Taylor: Further discussion of the main motion?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

It's unfortunate that I'm put in another position where I will be not in support of something that I believe ultimately I would be if it was put together in a responsible fashion.

I believe this was a rush decision.

The housing crisis exists in Ann Arbor, but also in almost every single city in this entire nation, there's a housing crisis.

And we have an environmental crisis.

We're witnessing it on a daily occurrence these days.

And yet, we're not putting in the assurances that would get us to our goals.

This is a giveaway without the assurances put in for the public benefits.

We heard that in order to have those assurances put into this change, that it would cost the developers smooch and they won't develop.

They won't do the things they need.

Well who does that cost fall on to?

Who bears that cost?

It's the rest of the community and the environment.

We're not asking developers to pay the actual cost that it does to develop responsibly.

And I cannot, in good conscience support something that is not fully baked.

We could do this and we are not doing it, I think is a travesty and will not get us to the goals that we want to get to if that's truly what we want.

And it's unfortunate but I can't vote for something that is irresponsible in getting us to our goals that we claim that we want to get to.

This is not going to get us there.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I agree with what has just been said.

I'm really, really confused and I'm very familiar with the Austin housing market where they are actually putting in a subway system.

They are building houses and high-rises as fast as they can and the property values went up over 40% in the last year.

According to my son who bought a house a year ago and has benefited from that.

But I think it's -- it's irresponsible to pass a policy that we know staff cannot implement simply based on wishful thinking.

If we can't put equity, affordability, sustainability and especially stormwater management into our transit corridor policy, why would we expect to get done?

And yes, we had a long planning process, but it hasn't been a formal planning process that our constituents expect.

And what this really is, it's an excellent return on investment for the wealthy landowners who donated to previous campaigns.

Let's call it what it is.

It's a return on investment.

And I just can't believe the mayor is talking about a millage for affordability.

So we will tax the middle class and the lower class who are lucky enough to have a home.

We will tax them out of their homes in the name of what?

It just -- I can't do the math.

Sorry.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thank you.

I think it's important to acknowledge what the status quo is right now and whether or not we're satisfied with it.

We pre-pandemic have 85,000 people commuting into Ann Arbor every day.

As others have noted we have a housing and climate crisis.

We have the choice to do nothing and nothing is going to get better.

There's not one solution that will fix these problems but it will be a compilation of policies and transportation and land use policies that we put together that will help us make progress on these challenging problems.

Transit-oriented development is something that's been recommended by the EPA.

It's a sustainability practice.

Would I love to be able to require our developments to be sustainable, both -- and have affordable housing?

Yes, but the state doesn't allow us to do that.

So we all know that here.

So what we do want to incentivize is non-car centric development that we have today.

I find it surprising when we don't have transit.

Read off the 2019 numbers for AAATA, we have total ridership of 6.9 million in 2019.

Would I like the transit system to get more robust than it is today?

Absolutely.

How do we do that?

Building density.

Those of us who are benefiting, are those of us who have the single-family residences.

My personal goals are to make sure that we actually advance to build more housing to get more people living here.

To get more people living close to services because we know that's the solution.

We can look at report after report after paper after paper, after planning and best practice.

It is well documented.

There's plenty of buy-in for this.

We see it in our plans.

We can block everything because it's not perfect.

But that's just being an obstructionist.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Councilmember Briggs made a lot of excellent points.

Let's look at -- this is the national housing crisis that we're having and I look to what the federal government is asking communities to do.

And lots of Ann Arborites thought what they would see at the federal level but their administration which is not necessarily progressive are making a push to end exclusionary zoning practices.

And this is one of those steps.

It's not the be all and end all because we will have a lot -- this is the low hanging fruit.

You know when we get to thinking about eliminate eliminating marking minimums or, you know, more radical changes to what our community looks like, and how we need to change to really think about being more inclusionary, those are the hard discussions.

This should not -- this is the easy one and it's one that we have been appreciated for a long time.

I appreciate the conversations that I with Councilmember Disch and Briggs in moving this to planning and to this table.

I appreciate the efforts who really push for this.

But we have people at the federal level that are telling us is problem of constraint of supply.

And that constraint of supply is an inequity issue.

When you have inequity.

The potential for discrimination goes up.

If we put more supply into our system is also important to do that.

And we need to try.

Having -- having us come forward and just, you know and the main argument is it might not work or it's not as good as I want it to be.

That is obstructionist and I won't be obstructionist and I also want to point out not that I want to go down a big rabbit hole about it, but I just -- we just had a councilmember, Councilmember Griswold say that some of us are return on an investment.

And I see some of my colleagues nod their heads in agreement.

That's inappropriate at this table.

I'm not for sale.

And my colleagues are not for sale.

And to suggest so is -- I just don't have a lot of words for it and I don't want to keep talking about it other than to say that these kinds of conspiracy theories and accusations done belong here and I hope that we can do better.

>> Councilmember Hayner: You know when I worked for Roger Penske, it was continuous improvement was the mantra.

Asking for improvements and asking to put forward law, zoning law, that is better than what we have before us that has more possibilities and more in keeping with our community goals is not obstructionist but continuous improvement.

It's asking for us to do our best, not half best but better that's none.

Is it too much to look for excellence.

Why is it we are choosing to incentive size one thing, no parking, no parking minimums.

Why are we choosing to incentivize something that makes it cheaper to build, hoping that the savings will be passed on to the future tenants commercial or residential.

When has that ever happened in a community?

Were our water rates eaten by the landlords or do you think the renters are

paying that?

Renters pay more as a percentage of their total housing expense in taxes than single-family owners do.

I'm looking out for the renters on this one because they will get burned.

How this ends exclusionary zoning, I don't know, because it's mark rate.

It's mark rate.

Unless we incentivize -- yes, the state says we can't require, but we all know we can incentivize because we are doing it with PPM and PUDs and a bunch of other things but for some reason, we are not doing this here.

That's ashamed and it's just a shame.

And we know this will pass.

It's fate accompli that this will happen.

And that's fine but I won't put my name on it.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yeah.

I will just echo a lot of what was just said.

I don't have a Ph.D. or anything, but I was raised with a pretty simple saying that if you are going to do something, do it right or don't do it at all.

And this is the case where this isn't right.

And I don't want my name associated to it either.

We have an opportunity to actually make a meaningful impact on our goals.

Codify it, require it, and get it at this -- at this moment.

Or if we were to refer it back to planning.

We are not going to get what we are asking all others to pay for and to do.

To suggest that we want to improve this and get the assurances put into the language of this change, is not obstructionists.

I take objection to that -- that we're being obstructionists here.

We're actually trying to get assurances.

People say we have a mass transit system.

Well, I'm not sure when the last time anybody on this body has ridden the bus.

Or how many people on this body don't live in single-family zoning or how many people on this body don't own one or two cars.

This body does not practice what it preaches.

Our mass transit system showed its vulnerability into the pandemic, services were cut.

Some were eliminated.

Some are not being restored.

It is not what you think it should be.

Or could be and it's not going to service the folks on these corridors to the level that they will be willing to live on them.

We need \$1 billion.

Our A2Zero plan calls for \$1 billion need for our transportation system.

Where is that billion dollars?

Where is that going to come from?

>> Mayor Taylor: Councilmember?

Councilmember Nelson.

>> Councilmember Nelson: Thank you.

Some of what I was going to say has already been said.

I do appreciate the clarification that we are talking about incentivizing.

We are not asking or suggesting that council try to do something that's prohibited by state law.

I think it's important that we are clear what we are talking about.

I agree with arguments that the transit often follows the density and I think collectively in some -- selectively in some of the corridors, one is south state street, but we will see facts on the ground in terms of who profits from this policy, and those will not be conspiracy theory but facts.

I will encourage everyone to pay attention to that.

Thank you.

>> Mayor Taylor: Councilmember Griswold.

Councilmember, you are inaudible.

>> Councilmember Griswold: That's probably a good thing, given what I'm saying.

I have a Michigan MBA and sometimes I use business terms that are purely business oriented.

They have nothing to do with a personal.

They are not a personal attack.

When we -- when I say you are a return on investment.

That's exactly what it is.

You put some money in and you get something out and all I will say is this plan without a clear implement strategy.

>> Councilmember Grand: Is violation of rules attack --

>> Councilmember Griswold: I'm not attacking anyone.

I'm talking about a business phrase.

That's all.

A business phrase.

>> Councilmember Grand: You put something in and you get to someone -- that doesn't speak --

>> Councilmember Griswold: It's not about a person, a financial process.

That's all I will say but it's irresponsible to have a policy that staff cannot easily implement for the goals that have to do with affordability, sustainability, equity and most importantly based on what's happened in the last two weeks is stormwater management.

We're told oh, yes, developers, you can manage more stormwater and after you do your development, it will be better.

Stormwater management will be better.

You tell that to the neighbors of toll brothers.

You tell that to the neighbors of what used to be the cottages at barton and it's not fair to staff to expect them to work out all the details when we pass ideal logical policy without the necessary support.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: This discussion is so disappointing. For the second time that we have been on council, a policy discussion has devolved into accusations of bribery, essentially of buying votes and it needs to stop.

We can discuss policy and have disagreements about policy, without attacking each other, without spinning crazy theories.

So just stop it.

Stick to policy.

And here the policy decision is clear.

It's been laid out for us by our colleagues who served on planning commission and by city staff who works in planning that Tuesday stainability and affordability are baked into this policy by the very nature of it, by the very nature of where these developments are going to occur and the transit that's available and the land cost that is lower than where we see in the city.

You can disagree with it.

That's fine.

Disagree.

Vote no, but stop accusing your colleagues of being bought.

There's one side that keeps doing that and it just needs to stop.

>> Councilmember Ramlawi: Point of order on that last comment.

>> Mayor Taylor: There's nothing --

>> Councilmember Ramlawi: I mean to suggest there's sides.

I mean, I'm sorry.

>> Mayor Taylor: Councilmember, this is not -- this is not a legitimate point of order.

Councilmember Song.

>> Councilmember Song: So this is a ten-year discussion in our community. Mr. Lenart, can you remind us with T.O.D. is implemented in other cities in our state.

>> Grand Rapids has done a lot around their silver line increasing density. Some of that was private sector and some of it was public sector. The city of Detroit recently was part of a lot of their neighborhood focus is focusing on transit-oriented development. Specifically a lot of other goals as well.

So those are a couple that come to mind that are happening elsewhere in the state and there's a lot of national literature happening throughout and it -- for sure, it is a balance.

You know, transit and I would be remiss forest Yang is available if you have questions but the land use and the transit service are obviously interconnected. The ride response to land use patterns and demand and that's how the service here in our community has evolved over time responding to that.

I think that the declarations are accurate.

The city as policymakers cannot snap their fingers and nor can the ride and instantaneously change all of those things.

It is a balance.

It is what can the land use do to support and induce additional demand.

The transit system when successful responds to that demand and this is an opportunity to sort of hopefully incrementally grow that that.

>> Councilmember Song: Mr. Yang, my son is a new line cook downtown and a new proud recipient of a go pass.

Is that something that could accommodate a T.O.D. transit demands having a program for employers to provide the workers living along the corridor?

>> Hello.

Thanks for the question.

You know, like Brett just described in the increased density it encourages more people to get on transit and then we can support better service along that corridor because the productivity is going to be up.

You know, like the program, go pass -- the go pass program is another example to encourage more people to get on the bus instead of driving because parking is always an issue and traffic is another issue.

Having more people along this corridor, encourages buses and making it more productive about the transit service.

And so then we can afford more services going along that corridor.

If that makes sense to you.

And it sounds like you have thought about this.

I thank you.

That's all I have.

>> Mayor Taylor: Further discussion.

Main motion?

Time delighted that this will be moving forward.

We have been talking about transit corridor development.

The benefited to the community as a whole, I think it's unanswerable.

I will think we will putting commercial development where the good people at the AAATA will be able to increase and improve services and folks can come in and out with -- you know, with the less dependency on automobiles.

I think that we have phone for years that 80,000, 85,000 people commute in and out -- into Ann Arbor every day.

And a mess of them I'm sure are happy living on their acreage and I'm sure a mess of them would like to live in our community and we would welcome them.

We have an insufficient supply of housing and that will improve that.

It will also be at a market rate that will be at a lower price point.

I think that that is something too that I'm looking forward to that I think will be a benefit for folks who currently are commuting to the city, but also folks would live currently here in the city.

I think this is a good thing all around.

This will improve our equity goals and improve our sustainability goals.

Further discussion?

Roll call vote, please?

Starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.
>> Councilmember Ramlawi: No.
>> Councilmember Hayner: No.
>> Councilmember Disch: Yes.
>> Councilmember Griswold: No.
>> Councilmember Song: Yes.
>> Councilmember Grand: Yes.
>> Councilmember Radina: Yes.
>> Mayor Taylor: Yes.
>> Councilmember Eyer: Yes.
>> Clerk Beaudry: Motion carries.
>> Mayor Taylor: 9:57, let's take a short break.
Be back at 10:07.

[Break]

>> Mayor Taylor: Let's try this again.
Thank you, everyone.

We're back after a short break.

B-2, An Ordinance to Amend Sections 5.18.3, 5.18.4, 5.17.3, 5.37.2.A and 5.37.2.S, to Add Sections 5.19.6 and 5.33.6, and to Repeal Sections 5.30.1 and 5.30.4.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor.

Moved by Disch and seconded by Briggs.

Discussion of B-2.

Mr. Lenart?

>> I did have some council questions.

Can the transit corridor one and planned project modification replacement be used to create unknown or unexpected types of building?

They could be used in connection with the TC-1 development consistent with the mixed use non-president district provision it would provide potential height flexibility and parking flexibility.

It has 100 units and they make 15 affordable does it specify what the number of bedrooms are for each unit.

It does not show in Section 8.

Could a 100 unit building have 85 market rate four bedroom unit and 15 affordable student studio apartment and qualify for 15%.

In this case it would be 4% of the bedrooms that are affordable.

Would this building still qualify.

It's regulated by dwelling units.

Yes, it would there is no require.

That a certain size.

It's based on the square feet dedicated to affordable units and in this case.

We don't specify the number of units as long as you meet the F.A.R. calculation.

No parking minimums.

It says it can be used in addition to 18.6.

Are these premiums cumulative.

Can a building do setback trade and affordable and solar to equal no parking, and zero setbacks on one side?

Both premiers and the proposed area placement and flexibility could be used in conjunction, as long as the requirements.

Any district with a required setback dimension can only adjust up to 50% of the requirement.

So you would only be able to get to a zero setback if it allows a zero setback. Those are the questions.

I'm happy to address anything else.

>> Mayor Taylor: Now I'm inaudible.

Mr. Hayner.

>> Councilmember Hayner: Those of my questions.

I like to read this and study this we may have some interesting outcomes.

I think it incentivizes the types of things we need.

I wanted to check in that and see what types of forms we may end up with these working in tandem.

I just forwarded something to Ms. Beaudry with the hopes that she could send it about.

I would like to propose I would like to move to amend Section 8 of this language. Section 8 reads.

The affordable housing component when and where -- should I read it so we can see if there's a second, Mr. Mayor?

>> Mayor Taylor: Sure.

>> Councilmember Hayner: It's simple.

I want to say whichever is greater.

So when and where this light of Mr. Lenart's answer.

When and where 50% of all dwelling units and 15% developed to affordable housing or when a payment in lieu has been made in the affordable housing fund, and I want to add whatever is greater.

15% of the dwelling units or 15% of the floor area, whichever is greater.

Let us pick.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Nelson.

Councilmember Hayner you still have the floor.

>> Councilmember Hayner: The developer can decide, but I think we should ask for whichever is greater.

We're not going to reach goals until we set the goals and the people who are building these buildings need to be guided towards what those goals are.

It's just that simple.

And unless we tell all of these 80,000 people to leave their carbon footprint and their cars behind when they move to Ann Arbor, he will not get what we want out of bringing people here and building buildings for them unless it's the type of buildings we need.

I would like to modify that to add whatever is greater.

Or they can do a payment.

And we can establish by resolution what that is and it should be substantial.
Thank you.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I'm feeling kind of dense in try trying to understand this amendment.

Whichever is greater.

How are you measuring that?

Like more units or -- I don't think I follow.

Maybe -- I'm asking for clarification.

>> Councilmember Hayner: I want us to -- I want the affordable housing component whatever is greater 15% of all the units or 15% of the floor area, like, if they are going to pick one -- I mean we want the most we can get for this, don't we?

>> Councilmember Nelson: So are you conceiving -- are you conceiving of a situation where 15% of the floor area would provide fewer units or that they would be 15% of the units would be so small that they would be less than 15% of the floor area?

That's what you are considering?

>> Councilmember Hayner: Yeah.

Like in the example that Mr. Lenart answers.

If we built 15 studios and the other units were massive 4 bedroom units, it -- it would really only be 4% of 100 unit building, 4% of the beds would actually be affordable.

I'm trying to get most we can get for the P.P.M.s.

Maybe I haven't done it properly and that's fine.

We can vote it down like the other ones but I just -- you know, there's scrivener's errors and other things in here.

When trying to correct those find those it occurred to me that we should seek the highest return for our request when it comes to affordability.

Maybe Mr. Lenart could maybe a better suggestion than I could, knowing this much better than I do.

>> Mayor Taylor: Councilmember Disch?

>> Councilmember Disch: I'm not sure if he meant to pose that just as question to Mr. Lenart.

>> Councilmember Hayner: Well, maybe.

It's kind of spontaneous but Mr. Lenart, do you see where I'm coming from or does it not make sense?

Maybe you have a solution.

>> I do.

I think that it's drafted now it provides more flexibility.

As you said, somebody could designate a portion of their affordable units in a different physical configuration than the market rate units.

In fact, that's happened in other projects that we have partnered with.

For example, the city apartments downtown the, the city supported affordable units all of them are studios and the development is a mix of studios and one and

other bedrooms.

It's a question of philosophy in a way.

Some measure of units is a great gain for the city and it provides more flexibility to put forth a development as you described, that will still result in 15 studio affordable units that we wouldn't otherwise get.

In the intention, however, was to -- I think it would be a higher standard -- off the cuff I can't imagine a time where the number of units would be greater than the floor area.

Because of that scenario.

I think if the intention was to set Ayer bar to standard, it would be -- higher bar to standard, it would be 15% of affordable units.

That way -- however, they are configured, a standard percentage of the floor area being developed has to be dedicated to that use.

The downside of that is they could decide to go the other way and say, we're going to do all one bedroom units but in at forwardable, we will do two -- the affordable, we will do two six bedroom units.

>> Councilmember Hayner: And the ratio would then be fewer bedrooms.

>> Councilmember Hayner: Yeah.

>> Councilmember Hayner: Even though the F.A. R. was correct.

>> Yes.

As drafted it follows the way the district regulates, but right now it provides more opportunity for property owners to find a way that works for them.]

That means it could benefit them one over the other.

So I guess my off the cuff is if you wanted to modify it, I would move to 15% of floor area, because that's more a set aside of the floor area.

Yes, it could result in fewer units but the same amount -- it will be a more predictable square footage allocated to it.

If that makes sense.

>> Councilmember Hayner: Well, that does and I think you see where I'm coming from here.

I'm trying to get the best we can because we are so far behind on this.

I don't know if I have that opportunity.

I would say, perhaps I withdraw this requested amendment.

>> Mayor Taylor: Does anyone have --

>> Councilmember Hayner: Based on Mr. Lenart's, I want the maximum.

>> Mayor Taylor: We will deem that to be a universally unfriendly amendment.

The amendment is stricken.

Is everyone comfortable with that?

Further discussion of the main motion.

>> Councilmember Hayner: In the same Section 8, has a greater amount been established by resolution.

That's the one we are working with; is that correct?

It's the one we established a couple of years back?

>> It's currently \$126 per square foot.

>> Councilmember Hayner: Okay.

>> Mayor Taylor: Roll call vote starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: B-3, An Ordinance to Amend Chapter 8 (Organization of Boards and Commissions), Sections 1:214 and 1:215, Title I of the Code of the City of Ann Arbor To Amend Commission Appointment Process, Add Exceptions to Allow Earlier Review of Incidents in Limited Cases, and Increase Number of Information Managers.

Moved by Councilmember Song and seconded by Disch.

Discussion of b-3.

Mr. Crawford.

>> City Admin. Crawford: One of the provisions expands the opportunities for the city to share information on a complaint.

I brought this forward proactively, because as we -- the increased transparency goes to build trust with the public and this is something the city seeks along with the department an ICPOC.

And so in looking for these students that that was brought forward, the difficult part of this is that -- well, I should clarify that the ordinance itself still says until all proceedings are completed.

The complaint cannot be picked up by ICPOC an exception is created by this language.

That exception is for significant events.

The difficulty in making it mandatory that materials are shared on these significant events is that it is somewhat subjective on what is a significant event and so I just wanted to point that out, that this was designed to -- you know, we want to bring this forward.

I want to bring this forward to help transparency, but I do think it's an area that requires sympathy judgment to be made by circumstance that we will find as things transpire because every incident is not the same.

Thank you.

>> Mayor Taylor: Mr. Hayner.

>> Councilmember Hayner: Yes, I think I still had a hand up because I'm sending a message to the various errors in b-1 that we just passed.

>> Mayor Taylor: Councilmember Song.

You are inaudible.

Song sorry about that.

So Dr. Jackson at the top of the meeting had said that this' a request from ICPOC to change language, and I originally thought of introducing an amendment to this on the incident review portion but it looks like it needs more review from the city attorney's office, so I would like to -- I would like to ask that we postpone this and have ICPOC work more closely with the city attorney's office on the language the chief of police may make exception to will. So if we can piece that out and bring it back, I think both parties would be happier.

>> Mayor Taylor: Is that one month postponement?

Song I think that's enough, yeah.

>> Mayor Taylor: Motion to postpone to the first meeting in August.

Is there a second?

Seconded by Councilmember Grand.

Discussion of the postponement?

Councilmember Ramlawi.

>> Councilmember Ramlawi: Yes, thank you.

We had discussions on this.

When we got together a month ago, I expressed my wishes to have stronger language when it came to this, and it doesn't have the support at the time.

Amongst the individuals who were in that meeting including Councilmember Nelson and Councilmember Radina.

I know we need to discuss it further.

It doesn't seem that it's settled.

My question is will this postponement affect all the changes being proposed here is there a way to seize that part out so the rest of the changes can be made?

>> Mayor Taylor: I think the thing is a whole.

I have not had a question of division like that.

My question is -- well, I don't know.

Mr. Postema, do you have any recommendations on this as far as procedurally.

>> City Atty. Postema: You are on the second reading it was introduced as a -- as a whole, but I think that it is they are separate parts and -- I have to look at the exact language but I think you can vote on the discreet parts separately.

>> Mayor Taylor: I think Councilmember Briggs is going to figure this out.

>> Councilmember Briggs: I have concerned about the membership.

There's a recommended change that essentially the council liaisons will -- are required to follow the recommendation of the commission in terms of what the appointees are coming forward and I would love to hear a little bit more discussion around that especially if this is going to be divided up in terms of -- I appreciated Dr. Jackson's commented on that earlier.

I understand knowing what type of items are useful on the commission.

In terms of successful police oversight commissions one of the key pieces is that we work to make them as least political as possible, and this seems to interject another sort of political component and also a lack of accountability for the elected officials in terms of not having discretion.

I wanted to understand a little bit more about -- for those who are serving as liaison to this commission why you may be supporting this or why my worries may be unfounded.

>> City Admin. Crawford: Mayor, may I comment on that?

I'm not sure -- I just want to confirm we are looking at the latest version. This was a point in time that there was a requirement that the appointed members accept -- there was a proposal.

That was not the final language and I believe the attachment shows that they must consider the recommendation that's recommended by ICPOC.

Unfortunately, I don't see Dr. Jackson or Margaret.

>> Councilmember Briggs: I don't think that's the draft in front of us.

>> City Atty. Postema: Yeah.

>> City Admin. Crawford: What paragraph, please.

Many.

>> Mayor Taylor: 21-4-1.

>> City Admin. Crawford: Right.

So what that means is the intent of that is that the recommendation -- you must receive a recommendation from the commission to be considered for appointment.

It does not mean that -- that they are basically appointing them.

You still have the ability to choose to not move forward with the candidate, to have additional questions to ask for additional candidates.

I know Councilmember Radina was involved in this conversation.

>> Councilmember Radina: That was exactly the own us.

That Councilmember Ramlawi, Nelson and I had with staff and our attorneys last month.

What this language is looking to do is require us as commissioners to collaborate with ICPOC and gain their recommendation.

It does not require us to appoint folks who have been put forward by ICPOC but rather would require us to secure ICPOC's recommendation of our appointments.

And so kind of the reverse of that process and so the previous language compelled us to support individuals selected by ICPOC and that was the piece we changed a little bit here to ensure that essentially ICPOC still has a role in that and ensuring that actually to negate the pieces that these would be political appointments by council and also in collaboration with ICPOC itself.

But the with we worked on this language is to essentially require us to get the recommendation from ICPOC of the people that we were putting forward.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: From what I understand from Dr. Jackson and other ICPOC members is that they are happy with all the other changes with the exclusion of that one section.

If we are splitting this out, and having that one section on doctor under the incident review, undergo more review with attorney Postema's office and attorney slay.

This one change sounds like what would compel the chief of police.

So that would be a significant change.

>> Mayor Taylor: All right.

So I think we -- there are two topics noting around.

Let's see if we can get rid of that second one.

Is anyone going to object to the postponement, to postponing the incident review issue for a month?

Is anybody going to object to that?

I want to reduce the variables.

On the theory that we can effect the division.

I want to divide out 215-1, where ICPOC wishes that to be shall and they want more attorney review on that.

Councilmember Song has asked for a month postponement.

>> Clerk Beaudry: Mayor.

>> Mayor Taylor: Ms. Beaudry.

>> Clerk Beaudry: Right now it's presented as one ordinance, so I would think you have to strike the language you don't want to approve.

I don't know how we would effectively pull it out because it's presented as an ordinance amendment.

>> Mayor Taylor: I will defer to you on that.

So you are telling us in your view, the way to have the rest of it move forward is to have this portion voted down and then come back by -- on its own lights; that correct?

>> Clerk Beaudry: Unless the city attorney thinks otherwise.

You would have to have a new --

>> City Atty. Postema: You may have to go through.

I was looking at that.

I have been looking at the screen over here to check that.

Right now it is one ordinance change.

It's gone through first reading.

I think you could certainly delete this -- you know, just amend this out and bring it back through it would need two readings but it could be done separately.

I think I'm not seeing anything different than what clerk Beaudry is saying it.

>> Clerk Beaudry: Or postpone the entire thing.

>> Mayor Taylor: My preference is to postpone the whole thing.

>> Councilmember Nelson: I'm sorry, I didn't hear you?

>> Mayor Taylor: My preference is -- Councilmember Nelson, my apologies what were you saying in.

>> Councilmember Nelson: I can't hear what you said.

I was asking you to repeat it.

>> Councilmember Nelson: Hearing what Ms. Beaudry and Ms. Postema we cannot effect a division.

That the cleanest thing to do is -- and that there are two alternative are to vote part of it up and part of it down on postpone the entire thing in the entirety.

It strikes me postponing the whole thing in the entirety is the tidiest.

>> City Atty. Postema: I don't know mayor that at least the one part about new

members.

How about this.

>> Mayor Taylor: Of the four of you, only appoint people that they recommend one way or another, can we agree on that?

Mr. Racine refuses to be cool.

Actually, I apologize.

I know we're slightly out of order here.

I'm concerned with postponing because of information manager piece.

We heard about continuous improvement here.

What is the possibility here if we're looking at delaying this for several weeks and potentially making a significant change that this ordinance -- we could also --

>> City Atty. Postema: I think that is -- that's substantive enough to move the whole thing back and -- yes.

>> Mayor Taylor: We are off cycle here but I think this is constructive.

I'm going to take that as the sense of the body that we all want to move forward on this and that we will vote on this without amending the incident review section on the theory that that's going to go brought on back from -- from the ICPOC representatives.

>> Councilmember Nelson: Can I suggest something?

Do we not have a postponement on the floor?

>> Mayor Taylor: I don't know that it was seconded.

>> Councilmember Nelson: It wasn't?

>> City Atty. Postema: It wasn't.

>> Mayor Taylor: Is that cool with you, since you have made mention of a postponement.

I will check in with you before proceeding?

>> Councilmember Song: I spoke with Lisa earlier and so from their end, from ICPOC's end, there's no rush and they would be okay with a postponement.

So I don't know where there's the miscommunication earlier.

I was not in that meeting earlier with the cosponsors.

So this is -- I'm conveying what I'm supposed to be conveying as liaison from ICPOC.

>> Mayor Taylor: I hear that.

I would rather vote on the thing and have an amendment come back later on.

That strikes me as postponing the thing in entirety.

I will go with the -- I will roll with the queue on the main motion.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I did have concerns of postponement, and not just due to the information manager aspects but also to filling some vacancies on commission.

There are vacancies that need to be filled and I would like to have this in place so we can fill those vacancies with this new requirement and it's been practiced are since the commission has started to account their wishes as to who we appoint on the commission.

We have done that with everybody since its initial seating.

I will say to Councilmember Briggs' concern, the commission likes to emphasize the need and the desire to be independent.

And I think some would say that we are making this less political, and we are giving them more of a voice, more of an independent voice who works and does represent that body.

And they are not so influenced by members of the city council and other parts of city government.

So this is to give them a little bit more distance between this body.

And the administration, and the work that they do.

And I'm comfortable in supporting these changes.

I would make the same recommendation that we come back and main that one wore change at a later date but let's get this moving.

Let's get it done and on to the next one.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I want to make sure that I understand what I'm voting on.

I think I understood the piece that the final say is city council's, however, as it as is reads right now, the only things brought forward to council by the liaisons are those recommended -- specific individuals that would be recommended by the commission.

Is that -- is that correct?

>> Councilmember Ramlawi: They would have the blessings.

Maybe approved by the recommendation or something to that effect that they have had approval by the commission as well.

That's all, but as Travis has said, that the decision is still left with the numbers with that responsibility to reject that recommendation, and ask for a different name to be put forward.

We don't have to accept what the commission puts forward if we are not comfortable with it.

>> Councilmember Briggs: Okay.

Thank you.

Perhaps I'm over worrying about this.

What I worry about is not right so much but a future scenario where we are setting ourselves up for an unfortunate political situation that is not maybe the best -- I'm not being very articulate right here.

I appreciate the feedback.

Councilmember Nelson.

>> Councilmember Nelson: Thank you.

I want to reiterate the point that Councilmember Radina made, which this is about collaboration.

It's not about who got the idea first.

It really wouldn't matter if the ready for a person for an appointment originated with the councilmember liaison or the commission, the point is that there would be a point of agreement that the commission agreed that this person was a good idea, and the council liaisons agreed that it was a good idea.

It's promoting collaboration.

It's not about picking a top dog or chief person in the decision making.

Now that we are passing this whole and not sort of quibbling over the one word.

I want to loop back to something that Mr. Crawford said which is a thought that I had early on in our discussions around this.

There is a certain amount of discretion that's baked to this.

And so with an idea of will or shall or must or -- I mean, it is functionally may simply because there's such subjectivity to defining a significant event.

I know that Councilmember Ramlawi and I had this exact conversation early on about this one word and I told him that I -- it to me functionally didn't matter, will or may or must or shall simply because it's defined in a way that's discretionary. That's my take on it.

And I think this is a conversation we have in the future and we can decide about amending that one word if that seems like a meaningful difference.

Thank you.

>> Mayor Taylor: Further discussion?

I will be delighted to support this.

I will note the language could be clearer and I will say I'm voting on it with the -- on the interpretation that council liaison shall appoint persons who have the recommendation of the council means to me, council liaisons should only appoint the persons that has the approval of the commission.

I can see where they do not produce some sort of option set.

And that the counsel liaison says they should appoint the person and inferring that his obligatory.

I'm reading the council liaison shall only appoint persons who have the recommendation, the commission, the purpose of that is to give ICPOC what I think is, you know, unique but also appropriate, simply veto control over their members.

Further discussion.

Roll call vote, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: C-1, An Ordinance to Amend Section 8:530 of Chapter 105 (Housing: Entry to Show Premises and Time for Rental Agreements) of Title VIII (Building Regulations) of the Ann Arbor City Code.

Moved by Nelson, seconded by Disch.

Discussion of c-1.

>> City Admin. Crawford: I'm sorry, c-1 doesn't have an introductory.

>> Councilmember Nelson: I thought there might be.

I'm happy to introduce this.

We first proposed a policy to extend our early leasing ordinance, extend the timeline.

It came up on April 5th and in that proposal, we were just talking about substituting a number and substituting 240, for what currently exists as 70 and we postponed it and we talked on April 5th about incorporating a right to renew. And on June 7th, we didn't have language for right to renew and we postponed it to July 20th.

I mention this because when we got -- when we got language for this ordinance last week, it was an opportunity to get this in public discussion earlier and we seized on it and I want to thank Councilmember Radina for urging us to get it on this agenda because it's been a long extended discussion, basically since April 5th.

So we have had nearly three months of discussion of this ordinance among the community members, tenants and landlords, and where we are at now, what started out as 240, is now 210.

This is not how we typically like to do things adding things late to the agenda so there were not time for questions to be asked but in deference not fact that we have gotten so much communication from the community, there's so much support for this policy, I think we all know this based on our emailboxes.

And this really has been a topic of discussion for so very long, longer than would be usual in -- well, typically.

The basic premise -- I'm asking my colleagues to please pass us at first reading and get us a step further and it may be between now and July 20th, changes may have to happen that it goes back to first reading.

Tonight I hope we can pass this at first reading, basically as is.

The basic premises is that the existing ordinance restricts both showing apartments and leasing apartments for just 70 days which is not effective.

Staff told me there's zero enforcement of it.

It's basically voluntarily.

Tenants say the landlords are driving it.

The landlords say the market and.

Tenants are driving this pressured market.

Basically we cannot just impose a timeline and hope that it sticks because we don't have good enforcement mechanisms and this ordinance as proposed really is an elegant solution where both landlords and tenants are protected.

It's going to be fair.

It's going to apply across the board.

Landlords have to provide notice of renewal terms and tenants have a right to renew.

And so that right to renew is going to be approximately seven months into a

year-long lease.

Landlords can change terms.

They can adjust rent higher.

They can change -- okay.

I'm running out of time.

But the point is that the terms that they will offer, the current tenants are the same that they would offer to the prospective tenant.

This ordinance has a language that's borrowed from other ordinances and municipalities.

I want to thank Councilmember Radina for his support.

I hope everybody can stand behind this.

Thank you.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Thank you, Mr. Mayor, and I also wanted to thank Councilmember Nelson for her work on this for several months now.

I got involved with it later than she did, and digging into it, but there was a ton of work that has gone into this a lot of stakeholders have been engaged and I want to also thank all the hard work and by staff and the building terms to get this ready as Councilmember Nelson mentioned.

The reason that we did bring this forward late night, I think Councilmember Disch for joining us as the third cosponsor to put this on the agenda was to make sure that we had something that the community could start discussing and talking about and even if we do have to extend this out over a period of additional amendments this probably gets us back to the original time frame but now we are operating off of the same understanding and the same document and the same proposal.

Before we get too far into this, I do have a minor amendment that I have passed on to the clerk.

There was an oversight in our work when we were changing the timeline to be reflective of the end of the lease, rather than the beginning of the lease.

In Section 1 a, it should read no later than 180 days and so I have asked the clerk to pass that around if she has it available, but it is a relatively minor change to reflect kind of the change to moving numbers -- or counting back from the end of a lease to account for longer leases than 12 months.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Nelson.

Is that friendly to the body?

Friendly to the body.

Councilmember Radina, you still have the floor.

>> Councilmember Radina: Thanks.

I don't have much more to say at this point other than I agree with Councilmember Nelson.

I think a big portion of this was really making sure that we had language for the community to see and discuss obviously we have received a lot of community input and feedback over the last several weeks.

Unfortunately we have not been operating from the same language and the same document.

So we wanted to move that forward ton to make sure that we give everyone sample time to consider this.

This is still first reading and we hope to get your support.

Councilmember Hayner?

>> Councilmember Hayner: Yes, thanks Mr. Mayor.

I mean, I will support this on first reading.

The consideration of not hustling these tenants to sign a lease and, I mean, I -- I mean, Councilmember Nelson and with spoke about this quite a while ago that the suggestion that we count backwards from the start of a lease came out of a landlord that I do work for in Ypsilanti and that's how he does it with his tenants. And think that's the right way to do it.

Some people sign multiyear leases, of course.

The only concerns I have are about the creation of tenant landlord law that's going on here.

I think it's always appropriate to review and strengthen tenants' rights.

We know that renters are a big part of our community here, and traditionally tenant rights are pretty bleak.

In some cases Ann Arbor has decent protections and in some cases they don't.

The creating of the tenant landlord law.

I'm hoping if this passes tonight, that in the period between readings we will be able to reach out to our legal staff and find out if there are any considerations of unintended queens from the creation of landlord tenant law that we have going on here.

That's all.

I will let this go to a second reading.

I'm sure we will be hearing from folks in the meantime and but I think we should be ready for some potential changes to reflect the legal memos we may or may not be receiving.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I did submit a number of questions this morning but I submitted them a little bit -- I guess the no the proper process.

I don't know.

If Mr. Reiser had the opportunity to review them and has any responses right now.

If not, I can articulate them.

>> A couple of things to answer Councilmember Hayner's question, yes, we will be providing an updated legal memoranda.

We provided one in March on the 240.

Now that we are saying from the end and the time period is changing but the just causes for eviction those have been added.

So we will be updating that memo in light of a court decision I shared with you a few weeks coming.

We will address some of these.

With respect to your first point.

They made sense when we had it to the start but when we changed it to the end we didn't catch it.

So thank you Councilmember Radina, for catching that.

That obviated there.

The attempt that is also a likely change.

Given that in an earlier version of this.

Talked about the landlord initiate court action.

That would be an amendment forthcoming before the second reading.

>> Councilmember Briggs: The nature of my questions, had to do with the questions committed to me.

I think we need to acknowledge around the table that this is a tight ordinance change that they are making and a want to make sure that we get things -- the wording is tight and really aligned with our intent.

I greatly appreciate all the work that the sponsors have done on this and advocacy of G.E.O. to bring forward this.

I -- one of my concerns is the time period.

We heard significant support from renters around the current time period, but we also have heard from at least a segment of the student population, the athletics society that they are supportive of the February time period and we heard from a number of landlords that they are supportive of a time frame more aligned with 140 to 180 days.

The time period I heard from students is anywhere from -- maybe 160 to 270.

And so you know, when we are looking, one of the concerns I have given the where this, is intended to help out is around campus -- or properties around campuses is that we're essentially condensing the entire rental period to three weeks in April for those who are renewing leases which -- for those who are renewing leases so I may have a motion to change the language depending on other comments.

>> City Atty. Postema: I think Councilmember Briggs you had a question that in those series of questions, that the attorney's office can answer.

It's really about the definition -- it was your last question, the definition of re-renting to some people over other people and that is more -- probably more appropriately directed at the sponsors.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I have a question to the attorneys.

So the existing ordinance that we are amending, prevents landlords from pressuring tenants to renew a lease until 70 days into the term of the lease has passed and I think we all agree that 70 days is a silly what too short amount of time.

But the thrust of the existing ordinance is to create a period of time where people are not pressured to renew a lease.

And my understanding is that currently, it would be an infraction of the existing ordinance if landlords were to extend housing contracts to tenants before the 70 day mark.

So this ordinance proposes to change that to did, that mark to either 150 days to the end of the lease or 210 days from the beginning of lease.

>> City Atty. Postema: It doesn't use the word pressure.

Prohibits a land lord from doing one of two things from entering the premises for the purposes of showing it to prospective tenant and second, entering into a leaseholder lease agreement with another tenant until that 70th day has passed.

>> Councilmember Disch: Okay.

So entering into a lease agreement with another tenant.

>> That's right.

>> Councilmember Disch: Mm-hmm.

So -- so a landlord would be in violation of the amended ordinance if they entered into a lease with a prospective tenant pryer to the 210 day mark?

>> That's correct.

>> Councilmember Disch: Okay.

So are the two parts of this separable.

Can we achieve one of the goals which is to have a longer period without doing the right to renew part?

>> That's a policy question for you.

Is that sort of what you are asking?

>> Councilmember Disch: Yeah, I mean -- yes.

That is what I am asking.

I'm concerned that were trying to put too much into this ordinance and I'm afraid that it may -- that just cause eviction is more vulnerable than the time limit.

>> That's something that council can do.

You can amend the time period as you had originally proposed or you can do that along with a just cause provision.

Now, there was input from student groups as to why the just cause eviction was important to them, and how it better protects them from a policy perspective.

But to answer your question directly.

You can do it one or both ways.

>> Mayor Taylor: Commissioner eyer.

>> Councilmember Eyer: Thanks.

With respect to the time frame, the number that we settle on, I'm concerned that there's a disconnect in the community between the number of days and what that actually turns out to be.

We heard pretty uniformly 210 from students.

But when I have reached out and had individual conversations with students, and with representatives of students, and asked them, okay, put the number aside.

When is -- when is a good time in the semester to be apartment hunting?

And I heard late February, early to, you know, mid-March.

Once you get into April, you are getting into final papers, final exams, very stressful time and end of the semester stress is real and then you add apartment shopping on top of that and it -- you know, anyway, the feedback that I have been getting is late February, early March.

210 puts us at early at April, because the majority of fall leases start the Friday

before Labor Day.

And so that is right at the very end of the August.

Early September, 210 gets you to April.

And so to me, that's just a disconnect.

You know we have students saying 210 but then when you ask them, when do you want to be apartment shopping and I'm hearing late February, to mid-March.

Or to early March, maybe mid-March.

So that's my concern with 210.

I think that there may not be enough education as to when those leases actually begin if people think 210 gets them to.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I believe it prohibits the landlord from entering into a contract before 150 days.

And it doesn't need to.

Because the tenant has the -- retains the right to renew.

And when we first talked about extending the timeline, and the restrictions, the same restrictions that apply to 70 days the first answer that I got back was well, gosh, the 70 days may not even be legal and the only reason it's standing is because people have agreed to it.

I think that is a difference that is meaningful and that's what makes it difficult to separate the two.

The right to review maintains the timeline.

I don't think you can take away one and have the other stand.

So the point is that if the landlord did enter into a contract with somebody else, before the 150 days before the end of the term, the tenant would then have a cause of action because, you know, they can assert their right to renew and then there's a conflict and the conflict is that the landlord clearly violated the tenants right to review.

Right now the way the ordinance -- this in violation and -- there's not an enforcement mechanism.

One the reasons that there are leadership bodies within the university community is that they are representing their colleagues and so I just -- I cannot overstate the significance of the leadership and the collaboration that happens between GEO and CSG and I hope we can respect that and not hold up anecdotal conversations to invalidate the collaboration that happens, there's a compromise that happened there to arrive at the timeline we are on.

I will not support an amendment to the timeline, because I know how much work went into it.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I think we have to put greater emphasis on the bodies and we did hear from the CSG and the GEO around the 210 time frame.

We did hear a different number from another organization.

And in conversations with them, they didn't realize that the number was negotiable in some ways.

I think that our responsibility in crafting this ordinance is to make sure that we are

thinking about the multiple interests that exist within our community, both small and large landlords, renters all across the community, student and nonstudent renters and there's a lot of interest to be balanced here and my desire is to improve upon tenant rights and that we have an ordinance that can be -- that generally has the support of our community so it can move forward and be there for years to come because that's what we want is an ordinance that stands the test of time.

And that can improve upon conditions.

I will make a motion to change the time period.

I will state it orally and hopefully it's two numbers that I'm trying to switch.

In section one where it reads 180 days, before the end of the current lease period that would be moving to 210 before which is seven months before where somebody could get notice, the -- and in Section 3, where it says 150 days before that would move to 180 days before, which is six months prior, and so that would move September 1st dates to March 1st as opposed April 1st and then in Section 4, I'm proposing moving that from 150 also to 180.

>> Mayor Taylor: Is there a second?

Seconded by council member eyer.

>> Councilmember Briggs: Thanks.

I assume that was confusing.

Please let me know if I stated one of those numbers incorrectly.

The intent of this is to essentially move up by about a month the time frame that's existing within the ordinance right now, to better balance this sort of multiple view points that are existing in the community to get to a -- you know reviewing the information that we received between 140 to 180 days from many parties in the community.

>> Mayor Taylor: Thank you, Councilmember Radina.

>> Councilmember Radina: Any per greater than 70 days is an improvement.

I will not be supporting that.

I agree with Councilmember Nelson that 210 day and the numbers in the ordinance are the work of a compromise between graduate students and undergraduate students, student renters who came together and decided and met in the middle.

We heard that some one society had spoken out in representing students.

One the things we need to be careful about are the number of groups speaking out behalf of students.

And so in my view, most of them are probably no longer student renters.

While I think their experience is valuable, I appreciate -- I value in crafting an ordinance that was reflective of students.

I think we heard from hundreds of students who have emailed us asking us to support the current number and so while ultimately I think Councilmember Briggs is more than the status quo, I'm comfortable forward with moving forward.

>> Mayor Taylor: Roll call vote starting with Councilmember Nelson.

>> Councilmember Nelson: No.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: No.
>> Councilmember Hayner: No.
>> Councilmember Disch: No.
>> Councilmember Griswold: No.
>> Councilmember Song: Yes.
>> Councilmember Grand: Yes.
>> Councilmember Radina: No.
>> Mayor Taylor: No.
>> Councilmember Eyer: No.
>> Clerk Beaudry: Motion fails.
>> Mayor Taylor: Further discussion of the main motion?

Councilman.

>> Councilmember Radina: I apologize.

Are others having trouble hearing the mayor?

Unfortunately you are the only person I can't hear well, Mr. mayor.

>> Mayor Taylor: Well, thank you, I will sit forward and I will check my mic levels.
Excellent.

Councilmember Disch.

>> Councilmember Disch: Yes, so I agreed to cosponsor this, because I did want to get it on the agenda so that it could move forward in time to have -- to be effective for the beginning of term.

I am concerned about the -- I don't know on what basis we are creating a right to renew.

I don't know where the basis for law or authority is for that.

And I'm not sure -- it was suggested earlier that we ought to be bold in standing up for renter rights and letting ourselves be sued and when and blaze a trail and I'm perfectly happy to blaze a trail but I have a rule that I don't want to leapt us be sued when I think we cannot win, and so I'm happy to pass this on for a second reading but in the interim, I will need clear legal advice regarding whether this is a thing that we can champion and win and whether we will expose the city to financial damage.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with -- I'm sorry, Councilmember Ramlawi.

>> Councilmember Ramlawi: I just quickly want to just say thanks to everybody who has been working on this.

It's been a heavy lift and a lot of work and time has gone into it.

So I appreciate the work that my colleagues have taken on and doing this.

Thank you.

>> Mayor Taylor: Roll call vote starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.
>> Councilmember Grand: Yes.
>> Councilmember Radina: Yes.
>> Mayor Taylor: Yes.
>> Councilmember Eyer: Yes.
>> Clerk Beaudry: Motion carries.
>> Mayor Taylor: DC-1.

Resolution to Set an Ethics Rule 12 Hearing Regarding Complaint for Reprimand.

Moved by Councilmember Grand, seconded by councilmember Disch of the discussion, please of D.C.1.

Councilmember Grand.

>> Councilmember Grand: Based on some feedback from community members that very clearly asked me and us as a council to move forward with this process, I submitted a complaint.

That complaint has been -- had a preliminary investigation and brought back to the admin committee.

So this is just the next step.

We had a lot of concerns not having due process with some of our other responses and so this is based on feedback that I feel from community members who have been harmed that we take the next step to move forward.

It brings me no joy to do so, but this was the process that was suggested to me and I was not pleased to move forward with but did.

And it was supported by the admin committee and so here we are.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Yes.

I was one of the members of the community and the body to voice concerns on due process.

I think we all know what has led us to these discussions.

We don't need to go back and discuss those, but being on the admin committee, we were summoned to an emergency meeting a month or two ago to take up that issue.

And the issue was bifurcated that a resolution was sent to council ahead of the rule 12 complaint.

That's where, I think, justice was not served.

I think there was a rush to judgment without the due process that we have in a democracy.

This resolution simply follows the prescription that's laid out in our rule book.

When somebody files a sworn complaint, we have to deal with it at the admin committee.

We can dismiss the complaint without merit.

We can refer that complaint to a different jurisdiction body, like the FBI or state police, if there was a criminal matter, or we can set a hearing and take this a very deliberative course of action where, again, the rules describe what will be done in these cases.

And I think that's the proper way.

It's allowing the checks and balances that uphold and maintain a democracy to function.

And to not allow abuses of a power to occur.

It brings me no joy to discuss it here today.

I do believe that this is the proper process and to handling a sworn complaint with the gravity that compromised the one that was filed.

So this is where we are at today.

I will save my time for more later.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I want to clarify that in saying that there were concerns raised about due process in no way do I believe they have merit and in no way do actions taken by council -- in requesting that Councilmember Hayner resign in response to his behavior in the community, act as a threat to our democracy.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I think it should be made clear that folks who vote for this are essentially saying that they agree with Councilwoman Grand that the contents of a conversation between two adults is the subject of disciplinary action by this body.

The contents of a conversation between two adults outside of this body are subject to the disciplinary actions of this body.

That speech is not allowed outside of this body without the judgment of this body.

That's what you are saying if you vote for this.

Now, if you vote for this and we have a hearing, we will call witnesses to this hearing.

I'm going to have legal representation at this hearing.

We're going to have the due process that is afforded me by our council rules.

And if you folks want to vote for this, and suggest that you have the authority to regulate my speech and others speech by extension, outside of this body, that's what you are saying with a yes vote.

That's a pretty bold statement.

That's a very bold statement coming from some of these folks here at this table.

That's the conversation that is being made here.

You are going to put your name on that.

>> City Atty. Postema: Excuse me, mayor.

The vote tonight is to -- to set a hearing.

>> Mayor Taylor: Just in the interest of time.

I think that -- I think that -- I think that the fact that this is not the reprimand itself but rather the calling of this -- the calling of hearing is known.

I think it was a -- the suggestion that the vote yes was the hearing was legitimate.

>> Councilmember Hayner: Again, you read all you want -- you can make up what you think I'm saying.

The implication is if you vote to move this hearing forward, you are saying you believe the contents of a private conversation between two consent adults

outside of this body is your concern.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I have been having so many conversations with black residents like constant conversations and concerns worry, anger hurt.

Two meetings ago I encouraged members of this body to reach out to black constituents black organizations not just at celebrations but people would voted for you.

And check in on them and see what kind of harm has been committed.

I spoke to folks who said, you know, it's so interesting that Ann Arbor would hide behind first amendment rights and not consider that I also -- you know, these are words expressed from black residents that they also deserve representation that's respectful, that gives -- that affords them dignity.

I would like to see this hearing advance.

I would like to have the members of the community share their sentiments and I would love to see that this body shows support for those who have expressed that they expect more.

And at the very least, I expect the same expectations for city staff and our codes of contact and how we terminated staff for the same exact language.

So if we can model the same actions as the folks that we hire, I hope that's at least one standard that we can use in this standard, one point of the reference in this hearing.

I will be voting yes.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I will push back.

We are not following the prescription of what we would normally do for the city employees because we would have done things much differently a few months ago if we did and perhaps would have avoided this current situation.

We decided to do not what you described, we decided to take a different path.

With setting this hearing, I am not reining in judgment, I feel we are following what we are supposed to be doing when a sworn complaint has been accepted.

We have three things that we can do with it, dismiss it without merit, refer it to a higher authority, or set a hearing.

I would like to have what you just described, Councilmember Hayner, happen, so we can unpack what's going on here and get to some sort of settlement that has restorative justice as a basis, as a premises of our actions and the consequences of our actions.

I will ask Mr. Postema, since he's the author of this rule, to explain to us exactly why we should be following the rule book and steps following once a sworn complaint has been accepted.

>> City Atty. Postema: Well, there's a couple of clarifications.

It's not any sworn complaint.

This process under Rule 12, this particular process is for the purpose of reprimand.

It's not just any sworn complaint.

It's one that's seeking a reprimand.

That's what this process deals with and that's the own thing it deals with -- the only thing it deals with frankly, again the process as set forth is that again, the receipt tonight by the council with this report and recommendation is to again schedule a hearing or dismiss it, refer to -- for other action as has been announced that may or may not be relevant in this situation.

I don't think it is.

So your options really are to dismiss this as without merit or schedule the hearing.

That's done by seven votes under Section e, and the hearing by the way -- and that would have to be amended into the resolution, needs to be set within 30 days from tonight.

From today.

It can be done at a regular meeting, or it can be done at a special meeting.

Now, it will need to be put out at least 14 days.

I would recommend closer to 30 days, because we do have a provision to give notice for 14 days prior to the hearing.

So again, the councilmember named in the allegation shall attend and have a right to present a defense.

You know, that's really the overall rules.

It's not a formal hearing.

The rules of evidence don't apply.

And so on and so forth.

So councilmember, if that's what you are referring to, if you -- again, if there's further questions about that, that's generally what the process would be, and at the end of that hearing, then -- at the end of the hearing, there would be a motion on a reprimand and it only refers to reprimand that would be voted on and if approved it would need to be done by 7 votes also.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I want to apologize to the community.

Never when I was running for council did I think I would be engaged in such unspeakable -- I can't even think of a word for it.

I will not be supporting a hearing.

This needs to be dismissed without merit.

I'm very disappointed in what our city attorney wrote.

Basically we're saying that Mlive wrote an article.

We don't like what was in the article.

We are taking it as fact.

The fact that a council member did not apologize or dispute it, there are things that are written about me that I don't even know about, let alone do I dispute or acknowledge or know.

There may be many, many harms done in this community, for stormwater damage and people may feel bad or badly, but that's not what we're discussing.

It's not how people feel but what was done.

And I didn't go to law school but we're talking about the act.

I could argue that tremendous harm was done when another councilmember

repeated information in a newsletter.

So this is not how feel and I don't think that community members self-select, because I talked to a number of People of Color, and not a single one said go after Jeff Hayner.

That's not what they are saying at all.

They are saying I'm embarrassed for council.

What is happening here?

So we can go through this little process, but the community knows that we have a double standard.

The community knows that we have a very divisive council.

We are embarrassing ourselves.

So again, I apologize to the community that we are not focusing on the business of our community, that we're not working on our goals of affordability, of equity, of sustainability, of streets.

I hear more about streets than I do about anything else.

So, again, it's not how people feel.

It's the act that was committed and do we have evidence that it was committed?

So let's carry on and continue to embarrass ourselves.

Thank you.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: As a long-time former journalist, I need to correct the mischaracterization that Councilmember Hayner has put forth of this conversation.

This was not a private conversation between two consenting adults.

This was a conversation with a reporter.

No conversation with a reporter is ever private.

Ever.

Even if you think you are off the record, that's not a private conversation.

Furthermore, I don't think that this reporter consented to have this language used to him --

>> Councilmember Hayner: You're speaking for him.

Okay.

>> Mayor Taylor: Councilmember, please don't interrupt.

>> Councilmember Eyer: I think -- I think it's a gross mischaracterization of what happened.

Yes, we will continue to be embarrassed until -- until these actions stop.

But it's worse than embarrassment.

It's harm to the community.

It's harm that we're trying to correct.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I would like to add to what Councilmember Eyer just said, and not only is no conversation with a journalist ever private, but the journalist would not be speaking to any one of us if we were not elected representatives.

And when we speak as elected representatives, we have to be careful what we

say.

Because we are to some extent speaking for the city and we are speaking in the place of the people who elected us to represent them.

And it is for that reason -- because when we are elected we speak for and in the place of people who voted for us.

It's for that reason that we have a code of ethics that says that councilmembers should avoid the use of derogatory or denigrating language.

Now as an individual person, private person, I could use derogatory and denigrating language if I wanted to with my mother, with my partner, with my dog, with anybody I want but when I'm speaking in ways that can be broadcast publicly, I'm speaking as a representative and I can't use that language.

So it is truly a mischaracterization to say that we are starting to regulate the speech that happens if private between consenting adults because that's not what we are using, what we are doing and we -- and it is about an act that was done.

It's not about people's feelings.

It was about an act that was done that's against our code of conduct as representatives.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I'm a pretty lucky guy.

I have worked my whole life.

I have a family that loves me.

You know, I worked hard and we have a decent house here.

I'm able to -- I'm able to -- you know, I'm physically fit.

And I know my own character and I know what my rights are.

And I know where I stand and I know what I was talking about, unlike everyone at this table who was not part of that conversation.

I never threatened my colleagues at this table.

I haven't spent the last 14 years of service to the city in violation of council ethics rules and the city charter by using private correspondence for email.

I am fortunate in that I don't have to choose which lie to own up to.

Did I own a small business that facilitated the abuse of women or did I lie on my campaign materials and not?

I'm lucky.

I don't have to do any of those things.

All I have to do is defend my right to use whatever language I wish for the next person comes along and I'm allowed.

The die is cast for you.

You want your eight votes but you will not get them until you run me out through a democratic process that I will have an opportunity to put the conversation in context and put my use of language in context text and to tell you exactly what the conversation was.

And I am will use whatever words I need to describe it and you can plug your yet wordily ears and under council ethic rules 4 and 4f, I will recuse myself from the rest of the conversation and the vote because it would be irresponsible to violate

my council rules.

Very few people at this table, very few, precious handful would stand up to the scrutiny of our rules that you created for me.

>> Mayor Taylor: Mr. Postema.

>> City Atty. Postema: Mr. Hayner would have to ask to be recused and on a vote on himself.

He does have the rule right -- and I want to repeat this -- to provide whatever version he wants and to provide information about why this hearing shouldn't go to forward and he has the ability to do that tonight and I just want to make sure that his issue about recusal doesn't prevent him from doing this.

And this is very important.

>> Mayor Taylor: The requested recusal by Councilmember Hayner.

Can have a motion.

It's moved by moved by Nelson and seconded by ram law.

Discussion?

All in favor?

Opposed?

Councilmember Hayner is recused.

Councilmember Briggs.

Brig thanks.

This is simple.

As Councilmember Ramlawi said, there's a process and we are simply voting on whether or not this hearing should happen.

But sometimes it's hard to say quiet at this council table in terms of what gets said.

You know there are -- we do have council ethics.

We have rules about what our behavior should be because we are elected officials and we have the ability to say whatever we want to say but that comes with consequences if we violate those ethics rules and some of those conversations have already been handed out and we will see where this hearing goes.

There consequences in other aspects of life too.

We have seen when people use hate speech what happens to their careers and that' the Wednesday of the exercising our first amendment rights.

I do care how people feel.

Words have power.

The words that we have discussed have power to harass members of our local community and the media, and make the LGBTQ community feel unsafe, make our African American neighbors feel unsafe.

And it's not just feel unsafe.

It empowers hateful actions it empowers them as well.

We are leaders in this community and I'm sorry if some people don't care how people feel, but that's astonishing to me.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I care deeply.

I'm the oldest person on council and I probably have a history of helping others who are less fortunate than me for decades.

What I'm stating.

This is about an act that took place.

We all feel differently.

And not only do we feel differently, but some of us feel differently depending on who the actor is.

So we clearly have a double standard.

You can be arrested for drunk driving, not just drunk driving but sliding into another vehicle that had no children in the backseat but that is overlooked.

There are many other things that have happened and no one felt bad about it.

So we haven't had a hearing.

So, again, this is taking insanity to a whole new level and apologize.

>> Councilmember Song: There are other members of this body that have used the n word, have used homophobic slurs would be happy to put in a request for a hearing, no matter if it was the mayor or Lisa Disch.

Lisa Disch from your looks, I'm thinking you haven't.

I'm hoping folks haven't because I think it's a pretty basic understanding in our community that given the options for so much literature and this beautiful language that I had to learn, we have options and we have options to care and use language to uplift.

So I hope that no one reconsiders their use of language to harm others to exercise their first amendment rights.

You have options.

And if you choose to hurt and then that needs to be heard.

Again, I will support this hearing.

I will support a vote for additional hearings if it comes to the other folks are -- have done this in community and haven't expressed any regrets.

Bring the hearings on.

If we are going to look at city council.

I can't fathom this ever happening at the library board at the county commissioners.

Even our state legislators I think can understand that they don't use racial slurs that it's not the thing to do.

50 specially in -- especially in a progressive city.

I hope the folks of the community will participate to the best of their abilities and we can support them in that endeavor too.

Thank you.

>> Mayor Taylor: Mr. Postema.

>> City Atty. Postema: Yes.

I do note that there's a question came in city administrator was going to pass it over to me.

We did have a question on this.

I had a number of different questions and I'm going to suggest that a number of them really need to be addressed not to staff, but to the complainant.

Initially, you ask what statements -- the councilmember offered what statements were offered in the person in the phone call?

Did we contact the person in the phone call?

Did we talk to members the community most directly impacted by the phone call, speak to any members of the people impacted of the phone call.

I believe they should be answered by complainant.

As far as the admin committee, it's simply addressed the fact of April article and the terms.

There's no dispute that that article was in and so it's just a simple realization of that.

I'm not sure how to answer the questions more fully and if you want to rephrase them.

And maybe I'm missing something councilmember.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: Very briefly.

Most of my thoughts.

I want to agree with something that Councilmember Griswold.

She made an argument of the why she should vote in support of this, which is that the decision on whether or not to move forward with this hearing unit be about how we as individuals feel about the -- about what Councilmember Hayner did or didn't do.

It should be about the facts of what he did or didn't do and getting to the bottom of those.

I too care about how those words impacted our community, but rather than allowing our visit feels drive these decisions, we have to make a decision of at as a body on the code of conduct.

That's what is taking place here.

I heard reference to a previous councilmember who was involved in a drunk driving incident and how this.

It becomes a frequent refrain in this conversation but not only are we drawing some fall equivalencies and 50% of the council was not seated.

I would encourage my councilmembers who are repeatedly going back to that time as to whether or not their own decision on how to handle that situation was appropriate or not, to do a bit of self-reflection.

If you don't feel it was strong enough, then that was a failure of yours at the time.

We as a council now are acting on an action that happened now.

I'm comfortable moving forward.

A complaint has been filed and we need to do something about it.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I was going to move to amend the resolution to set a date.

>> Mayor Taylor: I still think you have spoken twice.

I will move on to Councilmember Nelson.

>> Councilmember Grand: That's fine.

>> Councilmember Nelson: I'm going to support this resolution for a lot of the

reasons that Councilmember Radina mentioned.

There needs to be a resolution and the context of it and what it means and that conversation didn't happen before.

And we have had two votes without that conversation happening and in a lot our debate.

The idea of conversation about it was dismissed as a negative.

I'm looking forward to a hearing.

I think there needs to be a little more education around how these processes work this terms who have is the keeper for how these things move forward.

I guess I would just say that.

>> Mayor Taylor: Mr. Postema, what is the recommendation for setting a date.

>> City Atty. Postema: At the end, it says timely -- I would replace that language with language that says a date certain and I recommend that it either be -- the next meeting, you don't have enough time.

So it could be the first -- it needs to be 30 days from -- within 30 days of tonight, which would be, I believe the 5th of August.

And it could be the first meeting in August, if it's on a Monday, which it usually isn't but I believe it is this year.

I recommend you do it at a special meeting and you have more flexibility.

>> Mayor Taylor: Let's roll with a special meeting on the 4th.

That's the Wednesday.

>> City Atty. Postema: Clerk Beaudry, can you add that to the resolution?

>> Mayor Taylor: Can we have someone make a motion by that effect?

Moved by Disch.

>> Clerk Beaudry: What is the date?

>> Mayor Taylor: Wednesday the 4th.

Seconded by?

Song.

Is that friendly to the body?

I'm taking that as friendly.

The motion is amendment.

Councilmember Hayner, you have spoken twice on this already.

Are you available on the 4th.

>> Councilmember Hayner: I will have to check with my wife.

She works at 5:45 in the morning.

I don't know -- I would say -- I would say do as you wish and I will do my best to tend.

If I cannot attend, I will have legal representation in my stead.

>> Mayor Taylor: We, I'm sure would be -- we have some time to make accommodations if accommodations are required.

Further discussion of the main motion as amended.

>> City Atty. Postema: Excuse me, mayor.

Councilmember Nelson had additional questions on her that I was referring to.

I believe I answered them, but if I'm missing something, I'm happy to go through this.

I don't under all of them is there something specific you want answered from staff as opposed to the complainant or the admin committee?

>> Councilmember Nelson: No thank you.

>> City Atty. Postema: I'm following up on your questions.

>> Councilmember Nelson: I appreciate that you said things.

Thank you.

>> City Atty. Postema: Okay.

Is there anything further that you would like answered?

>> Councilmember Nelson: No thank you.

>> Mayor Taylor: Further discussion?

The filing the complaint was the exact right thing to do, and the resolution move and moving it forward today for a hearing to determine whether or not council uses to issue a reprimand is the right thing to do.

We are not regulating speech.

We are responding to speech as is our first amend right and I believe as an obligation as elected officials.

The reporter reports that the councilmember used the n word twice saying that these words do not go away just because -- they are said for a reason and that a's allowed under the constitution and it is and it's not without consequence and it's not without response by those who understand that the conversation occurred.

The voicing of racial and homophobic slurs is 100% unacceptable.

The n word is an unspeakable obscenity.

It's been used to demean and enforce and perpetuate white supremacy and it's not to be uttered, period.

And voicing with this word by an elected official on the record with the reporter in their capacity as elected official is not acceptable.

We should not accept it and I do not accept it.

The harm created here is that the voicing of the word severs community members from their community.

It's a harm that will not abate on its own.

This is a harm that we must work to resolve.

And that is what is at play here.

That is what we are seeking to do.

The goal here in my view is to reconnect the government with community members who were distanced by these statements.

The goal is not to punish.

The goal is not to educate.

The goal is to vehicular miles sect the government with the people, by the government's clear statement, this word is an obscenity and unspeakable and we understand why.

Further discussion?

Roll call vote, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.
>> Clerk Beaudry: Councilmember Hayner is recused.
>> Councilmember Disch: Yes.
>> Councilmember Griswold: No.
>> Councilmember Song: Yes.
>> Councilmember Grand: Yes.
>> Councilmember Radina: Yes.
>> Mayor Taylor: Yes.
>> Councilmember Eyer: Yes.
>> Mayor Taylor: DC-2.
>> Mr. mayor.
>> Councilmember Hayner: Point of personal privilege.
>> Mayor Taylor: Yes.
>> Councilmember Hayner: Our rules allow it do they not?
>> Councilmember Hayner: I said yes.
>> Councilmember Hayner: I want to respond to the continuous and constant accusations that I used racial slurs or use homophobic slurs.
I suggest this body and the people who keep accusing me of that educate myself on the difference between mention and use and lawful use of words and using words in context.
Did I not use racial slurs no racial slurs were directed at anyone.
Did I not use homophobic slurs.
No homophobic slurs.
I resent the implication that I used racial slurs or used homophobic slurs and we will talk about it more on the 4th.
>> Mayor Taylor: DC-2.
Resolution To Approve the Development Agreement and Amendment to the Swift Run Service Center Planned Unit Development for the Wheeler Center Solar Array With Pittsfield Charter Township.
Moved by Councilmember Grand.
Seconded by Councilmember Radina.
Discussion of DC-2.
Councilmember Disch.
>> Councilmember Disch: This is very exciting.
This is a resolution that lets us move forward with community solar and lets us move forward -- I'm sorry.
What I was going to say with landfill solar which is a pilot community solar project, which is one of the pieces that the A2Zero plan that nobody expected to see until much closer to 2030 than we are right now.
I'm grateful to see this and I'm thankful for the work of attorney braider and Dr. Stults and her whole office for bringing us a pilot regulatory change that is pay ahead of her timeline and that I hope is harbinger of things to come and ways that we can get much cleaner energy than many of us have resigned ourselves to given our situation in Michigan.
>> Councilmember Grand: I'm just glad that Dr. Stults is on vacation because

she deserves it.

Nobody should say she can't do something because she's great.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I second what Councilmember Grand said and I would like to be like to be listed as a cosponsor.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I would like to praise the work of Dr. Stults and as a member of the energy commission, I would like to be added as a cosponsor.

>> Mayor Taylor: Further discussion?

I am, of course delighted that this is going forward.

It's absolutely critical that we expand our creation of solar energy here in the city, here as the city if we are going to meet the A2Zero carbon neutrality goals.

This will be a direct benefit to residents and I'm really glad that we are taking this next step.

It's not the laugh step, of course and there are dollars associated but I'm confident that we as a counsel satellite and community are sufficiently committed to the purpose that we are sufficiently committed to the goal that we are going to follow through.

We are going to follow through not merely when we are -- when we are working to approve agreements and so forth but that we will follow through when we are working to pay for and build the infrastructure.

Because that's the only way that we will get there.

I would also like to extend my thanks to, you know, Pittsfield Township.

We are working hard with them on this.

You know, the wheeler center is folks outside may know that it's not in the city of Ann Arbor.

And so we are working with our colleagues over at Pittsfield county, and hopefully we can make beautiful solar energy together.

Further discussion?

All in favor?

Opposed?

It is approved.

DB-1, Resolution to Approve Bylaws of the Council of the Commons.

Moved by Councilmember Disch.

Seconde by Councilmember Briggs.

Discussion of DB-1.

All in favor?

Opposed?

It is approved.

DS-1, Resolution Authorizing Summary Publication of Ordinance No. 21-19 to Amend Sections 5.15, 5.16.3, 5.17.4 and 5.20.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor.

Moved by Disch and seconded by Nelson.

Discussion?

All in favor?

Opposed in it's approved.

DS-2, Resolution Authorizing Summary Publication of Ordinance No. 21-20 to Amend Sections 5.18.3, 5.18.4, 5.17.3, 5.37.2.A and 5.37.2.S, to Add Sections 5.19.6 and 5.33.6, and to Repeal Sections 5.30.1 and 5.30.4.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City Of Ann Arbor.

Moved by Councilmember Song, seconded by Councilmember Disch.

Discussion of DS-2?

All in favor?

Opposed.

It is approved.

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

>> City Atty. Postema: Mayor, we do.

We have a closed session MCL-15.268 (A) which generally deals with a personnel issues.

It's a matter requested by the city administrator.

I note it under this provision, a request by an employee has to be made and that was made.

And I'm just confirming that.

>> Mayor Taylor: Further questions?

May I have a motion?

Moved by Radina, and seconded by Ramlawi.

Discussion?

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

>> Clerk Beaudry: Motion carries.

>> Mayor Taylor: We are in closed session.

[Closed session]

>> Mayor Taylor: We are back in option session.

We have the clerk's report for communication.

Moved by Councilmember Disch, seconded by Radina.

All in favor?

Opposed?

Any further communications from the city attorney?

>> City Atty. Postema: No, mayor.

>> Mayor Taylor: We now come to public comment general time.

It's an opportunity for members of the public to speak to council about matters of municipal interest time.

One need not sign up in advance.

To speak at public comment general time, call 877-853-5247.

Once you are connected please enter meeting I.D.94212732148.
94212732148.

Once you are online, press star nine to indicate that you want to speak.

The clerk will identify you by the last three digits of your telephone number.

Please pay close attention to your time.

Our clerk will notify you when 30 seconds are remaining.

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

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

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

>> Hey, this is Joe Spalding again, and I -- briefly, on the Hayner stuff, it's never okay for the white guy to say the n word and that includes quotations.

If your voice says the syllables, you messed up and there should be if you are a public official some sort of consequence and it wasn't a private conversation.

It was a conversation with a member of the press.

Briefly, Kathy Griswold, I -- I don't know what you are expecting to gain by trying to sweep Hayner's abhorrent behavior under the regular.

I promise there will be a lot of people who know that will be the will be the case.

I don't work primarily on local politics.

I'm not focused generally on that although I'm involved in a school board issue in Grand Ledge because of the CRT antiracists showed up there.

And that's my best friend's school district.

I'm involved in some key table as cross the state and the folks there, they follow me on Twitter and they do it for democracy reasons and they are curious before I keep posting a2 council stuff.

They are not curious any more.

They get it.

A lot of those folks are elected officials, key members of the press, and they are all know, Kathy.

They all know, that you are defending an abject racist here.

Beyond that, more importantly, the thing I want to talk about is the anti-CRT weirdoes that I have been encountering if Grand Ledge and it ties back to Jeff's behavior as well and I know Grand Ledge is not Ann Arbor.

I know that there's a lot more work that has been done in Ann Arbor, but Grand Ledge is going through -- over the last year, a kind of real crisis point on this, and so -- but that's not why they were selected by the anti-CRT.

What is going on is the conservative think tanks are pushing hard to have their talking points and specific districts, they are rural edge districts and Grand Ledge, it covers most of Eaton County.

>> Clerk Beaudry: 30 seconds.

>> You can find the same thing in Grand Traverse County and the pushback -- the goal of that is to cause chaos.

It's to show average folks that addressing racism causes chaos.
The solution to that is to clarify that it's racism that causes that chaos.
And I promise, if they haven't noticed yet, those fascism tourists will descend on Ann Arbor and it's going to be just absolutely disgusting and unless there's some sort of unified force against racism at the administrative level.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Caller with the phone number ending in 556, press star six to unmute yourself.

>> This is Ralph McKee, can you hear?

>> Mayor Taylor: Yes, we can.

>> Ward 5, Ralph McKee, I'm calling to comment re Councilmember Eyer and Grand's full outrage re Kathy Griswold's comment about return on invest.

We know that money in politics is way more insidious.

Councilmember Eyer should know that more than anyone else.

Would anyone disagree with the statement that the Koch brothers big donations to GOP candidates influence the policy decisions of GOP legislators?

Or how about Joe Biden getting slammed by Bernie and Elizabeth Warner for pushing through the bankruptcy bill after getting millions in contributions from credit card companies.

Everyone hated that bill other than those who represented the credit card companies.

It's awful, and most of it is still on the books.

So it happens both sides.

And on the flip side, all of us lauded Bernie last year for not taking corporate contributions.

Are we a minute from the influence the corporate donors here in a2, of course not.

The five of ewe who were reelected got big donations from the principals of landlord, oxford, McKinley, morning side.

You outraised and out spent your opponents and got elected.

Are we supposed to believe that you don't remember who helped you.

How naive do you think we are.

Councilwoman Griswold is not suggesting that you took a bribe.

But understanding that you never consider who donated to your campaign and how a policy decision would affect their interest is laughable.

Ann Arbor politics is similar to politics everywhere else.

Donors expect at least a small return on their investment.

Councilmember Radina.

I understand that there's a lot of outrage over Jeff Hayner.

You ought to think that there are other communities who should be thought about here, like maybe the community of sexual harassment survivors.

We have another councilmember on this same body, credibly accused of enabling sexual harassment, and ruining several people's lives.

Those victims deserve some respect too and we all know what a complaint would

go there since you have the seven votes to say that's not happening.

Thank you.

>> Mayor Taylor: Thank you.

>> Clerk Beaudry: Mayor, I don't see anyone else on the line with their hand up.

>> Mayor Taylor: Is there anyone else who would like to see at public comment?

Seeing no one public comment is closed.

Are there communications from council?

Councilmember Ramlawi.

>> Councilmember Ramlawi: I really didn't have a whole lot to say but I'm really disappointed that we went into closed session to discuss the topic that we discussed.

It's nearly 2:00 in the morning, and I don't believe that people's business was handled properly in that last closed session.

I'm not happy about the inability to dissent to be expressed, questions to be asked, policy matters to be debated.

This body likes to talk about inclusivity, diversity, and all sorts of buzz words.

But my experience, proves that they are hollow.

They are hollow statements.

I don't -- I don't believe a lot of what a lot of people here say.

And I don't think the voters do either.

So play on, players, play on!

>> Mayor Taylor: Further communication from council?

Councilmember Song?

>> Councilmember Song: At the last meeting, I had mentioned that there was going to be a request for a park permit for council approval and it ended up being handled by city staff and not requiring city council vote.

But for folks who have reached out, and are interested the black Asian solidarity cookout that I have been organizing with the board of education trustee, crystal Dupre is on July 24th at southeast area park and that's being sponsored by community action network, because they serve low-income lack and Asian American residents.

And that follows their mission.

It's also being cosponsored by my brother's keeper.

So it -- I think it will be million a really good exercise in how we communicate our values and priorities.

And I'm really excited about this effort and I'm really thankful for the folks who stepped forward and are bringing their families and loved ones.

That's it.

July 24th cookout.

Thanks.

>> Mayor Taylor: Further communication from council?

May I have a motion to adjourn, please.

Moved by council member Nelson, seconded by Griswold.

Discussion?

All in favor?

Opposed?
We're adjourned.