

ROUGHLY EDITED TRANSCRIPT

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

Captioning Provided by:
Ai Media
Www.CaptionFamily.com
Phone: (800) 335-0911

* * *

REALTIME CAPTIONING AND/OR CART (COMMUNICATIONS ACCESS
REALTIME TRANSLATION) ARE PROVIDED IN ORDER TO FACILITATE
COMMUNICATION ACCESSIBILITY AND MAY NOT BE A TOTALLY
VERBATIM RECORD OF THE PROCEEDINGS.

* * *

>> Mayor Taylor: Good evening, everyone.
Welcome to the October 4th, 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 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 Ann Arbor.
Still.
>> 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.

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.

>> Councilmember Ramlawi: Present.

Ann Arbor.

>> Clerk Beaudry: We have a quorum.

>> Mayor Taylor: Thank you.

May I have a motion to approve the agenda?

Moved by Councilmember Disch, seconded by Councilmember Ramlawi.

Discussion, please of the agenda.

Councilmember Nelson.

>> Councilmember Nelson: I believe there's an item we need to vote on to adding to the agenda.

I mention it now because I think we tried this procedure at a previous meeting and this was the opportunity when it was supposed to be mentioned.

>> Clerk Beaudry: I added the item as DC-5, because it had enough sponsors.

>> Councilmember Nelson: Oh, thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I appreciate it.

I was just getting to highlight what was just highlighted so there's no need for me to discuss it.

Thank you.

>> Mayor Taylor: Further discussion of the agenda?

Are all in favor?

Opposed?

The agenda is approved.

Do we have communications from our city administrator?

>> No communications, Mr. Mayor.

Thank you.

>> Mayor Taylor: Thank you.

We have an introduction today, our monthly introduction from the independent community police oversight commission, monthly update by the chair

Dr. Jackson.

Dr. Jackson, you have the com.

>> Clerk Beaudry: Dr. Jackson should be joining momentarily.

>> Good evening, everyone.

Thank you so much for having me.

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

Since one week from today is national coming out day and November is transgender awareness month, I wanted to speak today about some of the work we have been doing to elevate the experience of our transgender community members in their interactions with the criminal legal system.

After requests from the local activist Michelle Hughes, we asked that the Ann Arbor police department institute a policy for interacting with transgender, nonbinary and nonbinary people and we are happy that such a policy became effective earlier this year.

That policy indicates, among other things that officers should ask people which pronouns they prefer which would be useful in traffic stops.

It indicates that officers should use a preferred name even if not legally recognized in any conversation with or in reference to transgender and nonbinary individuals.

That means that this behavior is the expectation regardless of whether or not this interaction is an official stop.

As this is a new policy, our commission has observed there's still room for growth in officer's consistently abiding by these new standards.

With that said, we have also observed that some of what we perceive as hesitancy on the part of officers is due to a fear that outright asking someone what their gender is, could be considered offensive if the -- that person is cis gendered -- as if that person was cis gendered.

This sentiment is understandable.

We hope and we would like to avoid offending people when we can but it points to an area where we have room to prove.

Tracking demographic information on police stops is one of the primary methods we use to evaluate if we are moving in a more equitable direction in our policing. So leaving officers feeling like they are better off assuming that the race, gender or any other characteristic of a civilian, you know that they are going to make that assumption instead of verifying that information does all of us a disservice.

And for that reason, it's incredibly important that officers have frequent, relevant training to ensure that they feel equipped to do this work in a way that best benefits the communities that they serve.

In addition to training, we certainly feel that this effort would be significantly aided by work on the part of the city to ask civilians to be prepared to be asked these

questions by police officers, as well as why it's so important that we are working with accurate information.

Finally, trans voices have been painfully absent from these conversations. While we have a lot of people thinking about how to that navigate these issues. For example, while it's incredibly important while we know how many trans people are interacting with the police to determine the extent to which they are disproportionately targeted, it's also likely that the case that many trans folk in our community would not feel safe disclosing that they are trans to a police officer. These people are then forced to choose between not being represented in data and feeling safe and to be very, very clear that's an unacceptable choice. That's why we need input from trans folks in our community, and how we can make sure that they are being represented without putting them in a position where they feel like their safety is being jeopardized.

So my ask tonight is that if you are a trans person or if you happen to know a trans person who is interested in giving you feedback in how we can improve the experience of people in their interactions with the police, please get in touch with our commission.

You can reach us by sending us a message on Twitter at a2ic or email me at LJacksonICPOC@gmail.com or call 734-794-6291.

Thank you so much for your time.

>> 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, one needs to sign up in advance by contacting the 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, please enter star nine.

Star nine to indicate that you wish to speak.

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

At that time, it will be your turn to speak and you will have three minutes in which to speak.

So please pay close attention to the time our clerk will notify you when your time has expired.

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

Our first speaker is Edward Vielmetti.

>> Clerk Beaudry: Edward Vielmetti, do you have a comment?

>> My name is Edward Vielmetti, I live in the 4th ward.

My comment is regarding the agenda item that you have regarding public comment time so it's spectacularly self-referential.

I called in early to get on the agenda.

It turns out I turned out first.

I have also spoken last at long meetings.

The process by which council picks the members of the public to speak at public comment time reserve time needs to be improved.

It's fundamentally antidemocratic, in that it has a bias peculiarly towards people who are up early in the morning, ready to call the clerk on a moment's notice, and it could be improved by a very simple process that's within the purview of this council to make a change to tonight.

Currently the clerk by instruction from council takes callers in the order that they called in in the morning.

And if someone dials in too late, because they had been working the night before, or slept in or were taking their kids to school or what have you, they are not on the agenda.

And the proposed alternative would simply add the two words or how many ever extra words you need to make this happen, at random from the pool of people who had called in by a certain time that.

Could be 1:00, or 5:00 or whatever it is, necessary for the clerk to do a random drawing of all eligible commenters and therefore the person who happened to be awake at 8 a.m. would not be unfairly advantaged from the person who worked the midnight shift and did not call in until 2 p.m.

And this is on the agenda item.

And this is through the admin chocolate to consider randomizing the draw of public commenters in order to improve fairness and improve democracy.

>> Mayor Taylor: Thank you.

Our next speaker is Ralph McKee.

>> Hello, Ralph McKee, can you hear me?

>> Mayor Taylor: Yes, we can.

>> Ralph McKee, fifth ward.

I'm glad to see the work done by Roger Rayle.

As Roger noted in CARD communications he's not alone.

Many CARD members who you have heard from recently like Dan Bicnell and Griswold and Hayner and Eaton and many others have worked hard on this problem and definitely deserve commendation.

I would like to remind you that a big accomplishment of CARD convincing this body, Scio township and the county to reject the proposed so-called fourth amended C.J. was recently undone by judge Connors with the tacit approval of our own attorneys along with Scio counsel and the county counsel.

If you recall, at the beginning of the spring trial held via Zoom, judge Connors interrupted opening statement indicated that he favored imposing CJ-4.

Then he asked several people outside of council, including Roger Rayle, township Jack Eaton and I what we thought.

All of us pointed out problems with the proposed CJ-4 and urged him to impose just the parts that the intervenors wanted.

The hearing was confusing, but near the end, Roger Rayle made an eloquent

speech, advocating that the judge ordered the good parts.

Judge said that's what we will do, yet our own lawyers and council for Scio and the county presented an order with the entire proposed CJ-4.

This was done without telling you about it and without asking Judge Connors to reconsider or clarify his ruling.

That move effectively trashed the guts of CARD's recent advocacy, completely trashed it.

The most polite term I would use is sell out.

One of the biggest problems that CARD alerted you to was the possibility of Gelman dumping vast quantity of contaminated water into the lake.

Now Gelman, per the court order has applied for a permit.

You might say, well, the permit will be denied.

I hope you are right but the court says that the permit is denied, Gelman doesn't have to operate one of the major extraction wells.

I assume our lawyers will ask the judge to make Gelman operate it anyway and dump the water elsewhere.

Gelman's council will say, hey, judge, they presented that order.

Make them obey it.

Two points.

One, our own lawyers shouldn't ever take positions other than what you as a body told them to do, certainly not without consulting you about it, and two, every time something like that happens, citizen activists are demoralized and heartbroken no commendation can make up for that.

I would like to speak briefly about the breaking news about our human resources director and our deputy C.A. and hire an outside investigator and do a thorough investigation this time.

Mr. Dan Adams will talk to you about sidewalks at sunset.

And I will read a poster and Jim Barnard, entire neighborhood is the opposite from what Mr. Adams will tell you.

>> Mayor Taylor: Thank you.

>> Thank you very much for your time.

Good night.

>> Mayor Taylor: Thank you.

Our next speaker is Anne Bannister.

>> Clerk Beaudry: Ann Bannister.

>> Hello.

Okay.

Anne Bannister, former city councilmember from ward one.

I'm calling also to support DC-3, the resolution to acknowledge Roger Rayle and the coalition for action for the remediation of dioxane to monitor and protect residents of Ann Arbor from exposure from harmful chemicals.

CARD grew out of a series of government sponsored and citizen-led groups formed to watch over the Gelman dioxane contamination site and provide needed feedback.

25 years ago, Roger was a founding member of the Scio residence for safe water

which was established to inform and educate residents on groundwater pollution, and provide information to stakeholder groups.

Roger Rayle has been a citizens member of the intergovernmental partnership committee, I.P.C., and then in 2006, he was a founding member of the coalition for action on remediation of dioxane, also known as CARD.

That superseded the intergovernmental partnership committee.

He served as chairperson of CARD since 2017 and they hold open public and welcoming monthly meets to educate the community about the threats of the dioxane in the groundwater.

They shared detailed information to help myself and other members the community to learn about the risks to water quality in the city, and also in Scio township and Ann Arbor township.

So Roger Rayle to provide support to members of the community, and local, state, and national elected officials, including advocating to the U.S.

Environmental Protection Agency.

The Gelmen dioxane persists.

There's more room to be done but this process reminds us how hard it is to keep track of detail for long-term issues like the Gelman site.

And how the Gelman issue works out depends on an informed citizenry and I and Roger always believed that if enough people have the facts, the right things will happen.

Our next speaker is Tom Stulberg.

Tom Stulberg.

>> This is Tom Stulberg calling from lower town in Ann Arbor.

I want to talk about a few different items and I want to talk about things covered very well about DC-3, thanking Roger Rayle and CARD, but I want to emphasize in addition to the wonderful work that Roger Rayle has done and I would like to give him my personal thank you but to thank the many, many citizens and councilmembers that worked for years on this issue, and I have faith in them that they will be unfortunately working for a long time but working on our behalf and one of the wonderful things about Ann Arbor is how active our citizens are, in terms of working for us as a community.

And also I want to talk about e4 which is a resolution on the source of Ann Arbor municipal drinking water.

I'm going to pull out one whereas clause of that.

Whereas the Ann Arbor department of water services has been as one of the best in the state of Michigan.

Traditionally being proactive in monitoring potential threats such as PFAS, and microorganisms responding with timely improvements and treatment technology, I would like to thank our water department.

We have excellent staff there, and excellent water quality.

I understand that there's reasons to look at and evaluate other scenarios, but -- it looks like we will be sticking with you are own water department who has been doing a great job.

Thanks to our citizens and thanks to our staff.

And I would also like to mention the Bandemer-Barton Trail, I'm very much in favor of that.

I'm selfishly in favor of that because as a cyclist, I use that.

And I look forward to that and that's another wonderful thing about Ann Arbor, is the things that we keep doing that are put forth by citizens and staff, and also in regards to that, there's the sunset project, the sidewalks there, where city staff read from the website, the city staff decided to lay work on the proposed sidewalk on sunset.

The purpose of delay is to plan this effort as a more holistic corridor long project it.

Reminds me of what happened on the north side and had we done what we should have done at a very decisive moment on the north side and taken a holistic look at the project, we could have had better results.

Unfortunately, as part of a much larger lower town mobility study, we have consultants --

>> Clerk Beaudry: 30 seconds.

>> Professional consultants who studied and in the long run, we will get a better result over here on the north side, in the words of the consultants will be a great deal more safe, and it's unfortunate there was vilifications of residents and councilmembers, but the consultant study is vindicated more people and we will end up with a better solution and that will work for sunset as well.

Thank you.

>> Mayor Taylor: Thank you.

Our next speaker is Daniel Adams.

>> Clerk Beaudry: Mr. Adams, phone number ending in 761.

You can unmute your phone to speak.

Go ahead.

>> Yes, I'm calling in today to express my disagreement with the city's recent decision to not proceed with the long planned sunset portion of the Newport sunset sidewalk gap project.

The city's decision is short sighted, it's incompatible with the safety need on that corridor and perhaps more importantly, it's a victory to the anti-change activists who have once again been allowed to set the agenda on a popular public agenda initiative.

When I voted on the sidewalk millage, I did so with the hope and the expectation this that this new funding mechanism would fill the city's vast catalog of sidewalk gaps.

They would have the money and the mandate to move with urgency and side step the obstructionism that Mr. McKee and Mr. Stulberg champion.

We expect homeowners to fight sidewalks.

We passed a millage to give them one less -- one less lever to pull to make every sidewalk into a bureaucratic rock fight.

Now instead of building a sidewalk next summer, we will contemplate a broader more complex, on that corridor.

While we figure out how to do that, any current or future child who lives on the

north side of sunset road has to cross over the road, just add access to a sidewalk in Ann Arbor.

That status quo is dangerous and demands act but here we are again choosing not to build a sidewalk we know we need in future of the square of the circle plan that doesn't exist, isn't funded and may never come to fruition.

Given these prior speakers, I would be remiss if I didn't mention this does remind me of what happened on the north side and not in a good way because this perfect killing the good logic is how sidewalk projects get killed in Ann Arbor.

When the city walked away two years ago from the north side project, it did so with a number of councilmembers stating on the record that while they supported sidewalks generally they opposed this sidewalk in particular, because they wanted to go back to the drawing board to get a better project that would benefit from the mobility study.

Now here we are two years later and the Lowertown consultants have come back with a shocking revelation that we should probably try to fill some of these sidewalk gaps by this school.

That's bang your head on a desk advice that was paid for not just in city dollars, but by the pedestrians, parents and kids who have been walking in the road with vehicle traffic for the last two years and who will continue to walk in the road until we get around to actually building a sidewalk we could have built in 201.

During north side debates, Councilmember Grand got it right.

I understand the concerns of the neighborhood.

I understand that the process has been imperfect but I don't think that should be the enemy of the good, which in this case is the safety of our kids.

Let's not do this again.

Build a sidewalk on sunset next summer with the plans and the money you have, and then start the conversation about other projects.

But alternatively, I ask that you bring the project in front of the council for a vote.

Of this is an important issue if another sidewalk project is going to die on the vine, it should die in public, with an opportunity for the public to comment and with the votes on the record.

Thank you.

>> Clerk Beaudry: Time.

>> Mayor Taylor: Thank you.

Other communications today from council?

Councilmember Song?

>> Councilmember Song: I would like to congratulate Jewish family services.

We had around 200 folks, including councilwoman dingle and the mayor and myself.

It was the inaugural event called "walk in their shoes."

The expectation is to resettle the 100 refugees in the coming months.

One family actually arrived today and I was able to meet them.

They are a new ward two residents.

This is the family.

He is a fellow -- he was a fellow at the knights Wallace scholarship program here.

He was a "New York Times" longest serving reporter at the Kabul bureau.
He's here with his four children and partner.

I hope that as we tend to see more refugees being resettled in the area, we can look forward to seeing children in our public schools.

I love seeing how community members are reaching out and making donations, offering furniture and making sure folks are warmly welcomed.

Yesterday at the event, I said, no, in another generation's time, we will see Afghani -- these new Americans, Afghani Americans on city council and perhaps challenge the mayor for his seat.

So I look forward to this new -- I look forward to seeing how this will happen in the coming years and update you if -- as more families are resettled.

Thanks.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I heard from a number of people who are excited about and hopeful to serve on a renters commission here in the near future.

I am working with staff and we're hoping that we'll have an application updated soon so that folks can begin filling that out.

And we'll make sure that it is advertised far and wide.

So that folks know that they can apply and that we can get a really diverse group of renters perspectives on that body.

And then I also wanted as an update to my colleagues given the addition to our resolution, I'm likely going to also be asking for an additional closed session tonight, just so that we all know what we are voting on.

Thanks.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes.

I don't know if you can see this very well.

It is a little button that says virtual hugs.

An elementary student created this, and her older sister created poster that says "human kind, be both."

I ran into them this weekend and found the little girl was hit by a car at an intersection on Huron a couple of weeks ago on the way to the farmer's market.

The little girl was hit by an SUV.

She was knocked unconscious.

She was not dragged under the vehicle as her older 6th grade sister said, I thought she was dead.

But my dad came and picked her up and then she started breathing.

She went to the hospital.

She's okay with a few scrapes and bruises.

I want to mention this because this is a personal situation for me.

As most of the crashes in Ann Arbor are.

What we heard tonight was more rhetoric, more dirty political posturing instead of looking at how we can create safe passage for all of our users.

It has to end.

I'm tired of having a discussion about a sidewalk here and there, when we don't

have an overall plan based on data.

We talk about vision zero, but from what I have seen, we simply use it again for political advantage.

It must stop.

We have crosswalks that have garbage cans, trash, vegetation, blocking intersections in the king school area, vegetation is 6 feet tall, blocking the crosswalk sign, blocking visibility to students and we don't seem to care.

I am pleading with this council publicly one more time.

Let's have a coherent plan that focuses on improving safety rather than just dirty politics as we have had for over a decade.

Thank you.

>> Mayor Taylor: Further communications from council.

I would like to recommend confirmation of the following appointment that was presented to city council at the September 20 regular session meeting, to the economic development corporation board, Larry Eiler.

May I have a motion, please.

Moved by Councilmember Grand, seconded by Councilmember Eyer.

Discussion.

All in favor?

Opposed it is approved.

May I have a motion to approve the consent agenda.

Moved by Councilmember Nelson, seconded by Councilmember Grand.

Discussion of the consent agenda.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

Can I pull CA-5 out?

>> Mayor Taylor: Further discussion of the consent agenda?

All in favor the consent agenda, please say aye.

Opposed?

It is approved with 11 councilmembers present all voting in the affirmative thus satisfying the eight vote requirement with respect to CA-6.

That is all.

The construction contract with granite in-liner LLC for the Nichols arboretum sanitary sewer lining project, for \$1,734,293, moved by Ramlawi, seconded by Hayner.

Discussion of CA-5.

Councilmember Ramlawi.

I could have probably commented it without pulling it.

I'm pleased to see this.

I'm concerned that the price tag associated with relining the sewers near and under the arb.

This as I concern of many of our constituents, the four overflow discharges of sewage in the arb as a result of deteriorating conditions carrying the sewage, and, in fact, the last 18 months we have had four different discharges resulting in nearly 2,000 gallons of untreated sewage.

And I appreciate staff's response to the questions that I had whether this would address those types of discharges and they said yes to the ones that have been a result of failing infrastructure.

So this I hope gets support of council because we are seeing increased rates of this happening.

And I'm concerned about the nearly 60% increase that it will cost based on initial estimates.

Staff has said this should not be a concern of projects going forward but with limited contractor supply and splice commodities -- the price of commodities skyrocketing whether we will be able to maintain our current plan of improvements.

So hopefully.

>> Mayor Taylor: Further discussion?

All in favor?

We do not have any public hearing.

Energy and water benchmarking to Title 8, the city of the code of Ann Arbor.

Seconded by Councilmember Song, discussion, please of c-1.

Ms. Beaudry.

I missed something.

>> Mayor Taylor: With council's acquiescence, we I never said anything to c-1.

We will move on to a-1.

The special and work session minutes of September 13, and the regular session meeting minutes of September 20, 2021.

May I have a motion to approve these minutes.

Moved by Councilmember Hayner, seconded by Disch.

Discussions of a-1.

All in favor?

Opposed?

A-1 is approved as it ought to have been.

C, is An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor.

Moved by Councilmember Disch, seconded by Councilmember Song.

Discussion, please of c-1.

Councilmember Hayner?

>> Councilmember Hayner: Yes, thanks Mr. mayor.

I had a comment generally.

I think this is an okay idea.

It's in keeping with everything that was described in the memo and the preamble to this.

You know, benchmarking is important.

It's nice to see where we are at, and, you know, where we have been and we are going and what changes have been made.

And I think that's wholly appropriate.

I wonder, is there a -- I don't know who can answer this question or maybe I talked to Dr. Stults, but it seems like as this community -- when we are making

big investments in our infrastructure, big investments in our development and our planning for the future, carbon neutral future supposedly, that we should be doing some kind of prescriptive benchmarking or estimating of what buildings that are coming through the planning pipeline are anticipating these -- anticipating their benchmarks or their energy and water usage to be.

It seems like that would really help inform our decisions when it comes to the value of these projects to our community.

And -- and these buildings that are still standing by 2030, it seems like we should make every effort to encourage to build the type of buildings that we would like to see built in those years that hopefully by that time we will have our ability here locally to not only incentivize that kind of building but demand it or require it.

And so I just wondered if you could maybe give a comment on the notion of prescribing or estimating a building and energy's water use.

>> I'm sorry, I missed the crux at the very beginning.

It's for new buildings, correct?

>> Councilmember Hayner: Well, yes, I know this is benchmarking existing builds and great strides can be made with weather proofing and all the other things.

I'm wondering is there any way that we could apply these same kinds of -- it's not really benchmarking because we don't actually have the data, but, you know some kind of prescriptive estimating to new projects so we get a sense of their value in fitting in with our plans for the future?

>> Yeah, yeah, I think that's a really great point.

You're right, its not somewhat this ordinance change is, but it's a conversation that we are having with the planning department and the planning commission, thinking more about how we encourage people to do what we want, which is get to net zero energy buildings ideally all electric, and renewables and affordable.

There's methodology out there to estimate the shell and the performance, what there is not tools or methods necessarily is how you occupy that space, right?

Because we may have very different user profiles if I'm a family of five versus an individual and so that's where it gets tricky.

Most of what we are focusing on is the performance of the infrastructure and that there are methodologies that we could look at.

We're not prepared to go into detail tonight, though.

I'm happy to bring that back.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

There's been a lot going on this weekend, unfortunately, and I haven't been able to delve into this matter.

We did hear that this was coming and there are some concerns as to the implementation of this, based on all the different types of uses and tenants that are in buildings that occupy different hours and different times.

We are not -- it's not a unified 9 to 5 society any longer, especially these days.

So there are some issues and they are not going to be resolved in the next two and hey half minutes here.

-- two and half minutes here.

This is a compulsory ordinance change that would be enforceable by the city's change, with enforceable fines; is that correct?

>> That's correct, would you like to add anything?

>> That's correct.

>> That is correct.

>> Councilmember Ramlawi: And this begins December of next year and when are first set of information reported due to the city, March of next year?

>> I believe it's May of next year and our city buildings are being benchmarked right now.

And so we are the first in the system.

So that will come before, if you want to add anything?

>> I can address a couple of questions.

I think that are nested in there.

One on the timeline, yes, so December is the deadline for city buildings to be benchmarked and be in compliance with the policy and then we bumped from May to June with this coming out later.

Next June would be the deadline for the first phase of buildings and then next the -- the June of the next year would be the deadline for the next phase of buildings and so on and so forth and then buildings would annually be required to benchmark after that.

And I think there's also a question on concerns of different occupation patterns.

I just wanted to clarify that the energy manager takes that into consideration.

>> Councilmember Ramlawi: And the University of Michigan is once again exempt from this?

>>> Yes, I think either Tim or somebody could comment.

I understand that the University of Michigan is outside of the city's jurisdiction.

I just want to clarify that we will work -- we meet regularly with the city.

We will work for voluntary participation and then the University of Michigan, I believe, does currently benchmark all of their buildings currently.

>> They could currently benchmark.

>> Councilmember Ramlawi: Would that information be available for your service, Dr. Stults?

The benchmarking the university is doing?

>> Thank you for asking that question?

I meet with university monthly and we talked about this issue.

I didn't ask for the data itself but I did follow-up to see if that was appropriate.

Thank you for the suggestion.

>> Councilmember Ramlawi: Thank you.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Yes, I wanted to share my excitement about this ordinance coming forward and profound thanks to the staff in O.S.I., and for bringing this forward.

I think this is exciting for the city to be able to begin to get information about how the buildings are working and allow people to start making more informed and

educated decisions about where they can make up rates and where they might want to live in the future.

So thank you for that and thanks to the input by the energy commission as well.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I think 9b excludes state or federal government buildings so that, I assume would include the university and we recognize that about 30%, I think maybe -- maybe that's a little high of a total square footage of roofed structure here in the city is either held by the schools or the university, right?

Sown I hope the schools are on board with this.

We have given them money to tighten up their buildings.

Want to make sure I read this properly.

So it appears that single family and duplex homes that are individually owned are exempt from this requirement; is that correct?

>> That's correct.

We are coming with an alternative ordinance that focuses on those properties which would come up at time of sale or time of marketing when they list them on the market.

Because it's just a different transition, kind of turnover rate.

>> Councilmember Hayner: Yes, that started when I was back on energy commission.

I remember those conversations.

I guess we'll have -- I would like to be let in on that before it comes to the body, because I think that there's some legitimate concerns that property owners have of footing the bill for something like that and what would be the frequency that we would have to do, it you know, single family owners or duplex owners would have to do, that would it be an ongoing benchmark or one-time only, and it seemed a little potentially out of line of what we could require as a community.

>> Yeah, we're working on it.

>> Councilmember Hayner: What are the legal issues around that?

>> We'll bring you in.

We will follow up with you shortly because we worked through many of those and we actually planned that coming in the next few weeks for council consideration as well.

>> Councilmember Hayner: Yeah, okay.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

I have a question on whether there are any municipalities in Michigan that have this type of program and will this be challenged in court by property owners who feel that this is in violation of some sort of constitutional rights that they have?

>> Yes two, really good questions.

Do you want to talk about the work with Grand Rapids and Detroit and then Tim, do you want to take the legally is?

>> Yes, although dozens of cities around the United States have benchmarking

ordinances, there currently isn't a community in Michigan with one. So we have been working collaboratively with Detroit and Grand Rapids. Detroit has concurrently gone through a stakeholder engagement process and is planning on presenting a similar ordinance to their council in their near future. Although there is not an existing one right now, we expect it to follow shortly. Who did you want to follow up on the legal question?

>> I'm happy to start and then attorney Wilhelm.

This is grounded solidly and legal footing on the grounds of consumer protection, right?

Consumers have the right to know about a place before they rent it or take it on so they can factor that into their decision making.

We feel really good about that.

I don't know if Mr. Postema or Mr. Wilhelm want to add anything.

>> To council wants additional information about the legality or the basis of this ordinance, we can certainly provide that through a legal advice memo.

>> Councilmember Ramlawi: Would you have this as the official request as that or do you want something more formal submitted to your office?

>> I think we can provide it based on this request.

>> That's fine.

>> Councilmember Ramlawi: I appreciate it.

Thank you.

>> Mayor Taylor: Further discussion of c-1.

For my part, I want to express my strong enthusiasm for this effort and my thanks to you will at folks at O.S.I. and the stakeholders and the energy commission who worked long and hard on this document.

You know, we know that the text tells us that buildings account for 65% of community-wide green house gas emissions and the residents and owners of those buildings have little idea in how they stack up in terms of their energy efficiency and the green house usage.

The benchmarking program will be an important step forward in allowing tenants, allowing property owners and potential property owners to understand what they are getting into and to take measures to reduce their carbon footprint which is, of course, in, you know, fully consistent with our goal of community-wide carbon neutrality by July 2030.

So thanks, everybody.

Further discussion?

All in favor?

Opposed?

It is approved.

DC-1, Resolution to Approve Amendment to the Council Rule 7.
moved by Griswold, seconded by grand.

Discussion, please of DC-1?

Councilmember Hayner?

>> Councilmember Hayner: Well, thanks.

I have a comment on the two changes that are suggested here and I -- I'm

surprised to be the first to speak on this.

I don't believe that this is necessarily well considered.

In my opinion, it's not.

It's going to be difficult to -- I don't support changing the council meeting start time to 6:30.

Sometimes we have a closed session prior to council meetings, are we going to change that to 5:30?

I don't get home to 5:30.

I think it's a challenge to back our start time.

I don't think it's clear on Rule 7, addressing council during meeting, all public speakers must speak to the podium, unless the public speaker is attending remotely.

Well, that's all well and good to compensate for how we are doing it now with we have the permission of the state to -- and really the map date of the state to meet remote -- mandate of the state to meet remotely.

When we meet in person, are we going to have them connect remotely?

Will we have to change as one of our callers asked earlier, the methods by which we allow people to speak?

I'm not sure that this is a change that is going to with stand the fluctuations of our virtual environment here, back to a real environment.

And so generally, I don't believe that these are -- have been thoroughly thought through and I don't support these changes.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

Just to clarify, we are just voting on Rule 7 with this resolution, not Rule 3, which proposed changing the start time to 6:30.

The admin committee agreed with your perspective, Councilmember Hayner, that 6:30 would conflict with time for family and people coming home from work and school and everything else.

So 6:30 was nixed, at least tabled.

It's just Rule 7 we are proposing at this point and until we get through this, hopefully last wave of the pandemic, we can begin meeting in person once again and then discuss how the electronic format can be introduced if possible and adjust this rule at that time, and it's -- it's obviously something we're continuing discussing in the admin committee meetings when we do meet and this does come up.

>> Mayor Taylor: Councilmember Radina.

I normally support this I think this reflects our practice currently and I think as we have demonstrated throughout the admin committee is treating this as a living document that we can review and continue to update to suit our needs and the circumstances that we're in, and so if this needs to be revisited when we return to in-person, I think that's fine.

For what it's worth, I would potentially also be open to exploring meeting time changes, but I would -- I would, of course, want council to be comfortable with that, because I'm just one person.

So --

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Thanks.

I'm just instead of echoing what others have said, I will just add the idea that, you know, if we do revisit this when it comes time that we are back all together in a room, I will be supportive of and pushing for continuing to allow people to call or Zoom in.

The cost will be absolutely minimal and the benefits are just invaluable in terms of allowing people to participate in the democratic process of commenting and speaking and making their voices heard to council.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Thank you.

I will piggyback on what Councilmember Eyer said.

This was not something that was haphazard and put together without thought, as was mischaracterized earlier.

It is something that we have discussed fairly extensively with admin with advice from our attorneys.

It's normally reflective of current practice but what I hope will be future practice.

We're not the only community.

This will not be unique to us.

We can figure this out and make access to public meetings more equitable, more accessible.

We heard at the beginning of our meeting public comment about a related issue and I personally don't believe that one should have to be able to get themselves to a council meeting in order to participate if we can figure out how to do this through technology.

There should be some lessons learned and I hope that this is one of them.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I think that it's not a reach to suggest that under our current situation, all public speakers are attending remotely.

So why didn't we just strike any notion of a podium at our very first meeting, we talked about the virtual podium, the assumption that the clerk would maintain the callers and the guests and the participants and so on, as if there was a virtual podium before us.

I think we even had some kind of off-the-cuff advice from our -- you know from our legal staff on that.

It just doesn't make any sense the way this is written unless there's some notion of continuing to let folks who don't even live in the county or whatever call in and speak.

And so I just -- you know, just saying how well thought out this is, it just doesn't read like that.

I won't support it.

So I ask for a roll call vote.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Yes, I look forward to the admin committee looking

at other ways of using technology to improve our democratic process, and one of the things that's been talked about by community members in the past is a screen sharing-type option, so that when an amendment is made during a council meeting, it could be displayed for the public.

And that's something we need to look at exactly how that would be done, but that's one example of how we can improve the process with technology and I -- someone mentioned this is a living document.

I totally agree it is, and there are always opportunities to improve and we'll continue to do that.

Thanks.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: Sorry.

I just wanted to lend my support for carrying forward some of the things that we have learned from the pandemic, which is how remote and -- remote can enable much greater participation than we otherwise get at city -- at public outreach meetings.

I mean, the number of times I have listened -- obviously not to a council meeting, but to a webinar on some traffic study or whatever, where I turned off my camera and made a soup, I can -- I can count them on two hands and I was very grateful for that opportunity and I'm certainly not the most overworked person in Ann Arbor.

So I would imagine there are many others who benefited from that, and we should carry it forward.

It doesn't mean that we should strike the podium part because there will, I hope, in the near future be actual podium speaking.

>> Mayor Taylor: Further discussion of -- whatever number is this -- DC-1. Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> 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-2 Resolution to Appoint Paul Krutko to the Economic Development Corporation Board.

Moved by Councilmember Eyer and seconded by Radina.

Councilmember Griswold.

>> Councilmember Griswold: I see this as an opportunity to have greater diversity on the greater economic development corporation board.

Paul Krutko is the C.E.O. of spark.

He does not live in within the city limits.

He's not an underrepresented minority in any of the categories so he already with his spark leadership position has significant platform for communicating and for advancing spark's interests and so I would really like to see a city resident appointed to this position and a focus on greater diversity.

Thank you.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: My apologies for not getting this question in ahead of time S. there a statutory requirement with this board to have someone in Mr. Krutko's position to fulfill this position?

Is there -- I know on some boards and positions we must fill it with somebody in a position of the sort, of whether there is a need in this case.

>> City Atty. Postema: Councilmember, I do not know that offhand if there's a statutory requirement vis-a-vis this.

It's something I can't answer at this point.

I'm not aware of anybody else who could answer at this point.

I'm happy to look into it.

>> Councilmember Ramlawi: I make a motion to postpone this to our next meeting.

>> Mayor Taylor: Motion to postponed seconded by Councilmember Nelson.

Discussion of the postponement.

Councilmember Ramlawi.

>> Councilmember Ramlawi: I just need to have more clarification on the statutory requirements that comprise this board.

>> Mayor Taylor: For my part, I will vote against the postponement.

The individual was referenced at our prior meeting.

There was, you know, many time for that question.

I'm not counsel for the city, but I did not select Mr. Krutko with the intention of filling any statutory requirement -- statutorily-required position.

I picked him because of his plain and obvious expertise with respect to economic development and the opportunity for synergies between spark and the city as we look to revitalize the economic development corporation and its work for the greater community.

Further discussion of postponement.

Mr. Postema?

>> City Atty. Postema: Yes, could Councilmember Ramlawi's point we can provide the advice that the committee you have, has met all of the statutory requirements and if -- if it's filled and you haven't then you have -- then you have an obligation to replace somebody with somebody else, and so that certainly can be done, but as to the other issue that you raised, I just can't answer if he's not being -- if he's not being put on for a statutory requirement.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I appreciate the powers in the mayor's office and the fact that this was on a prior agenda, but as my colleague had stated, there's

plenty of opportunity for this individual to influence and have the synergies that were described in the realm of -- of economic development and it would be nice if the wealth was shared and that influencing of the economic prosperities in our community and in our region.

And so, it would be nice if we had a more diversified set of folks on our boards and commissions and I fully believe that this individual has enormous clout and enormous synergy with or without being a part of this board.

And, you know, this is a six-year term, a five-year term, we talk about diversity and inclusion, but yet when we see these names come up for boards and commissions, it's the same old same old.

Further discussion of the postponement.

Councilmember Briggs?

>> Councilmember Briggs: I find it a little bit surprising that we're suggesting that we would not want to have this level of expertise on our economic development corporation board.

It seems obvious that we would want to have this board comprised with individuals that have and serve in professional roles in this community.

We seem to be having -- on one hand, this is statutory and on the other hand, we need more diversity on this board, I'm not sure I'm fully supportive of this person sitting on this board for the expertise that they bring to the position.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I would agree with Paul Krutko's expertise.

He's a very valuable member of spark and the economic development movement in this community, however, he is not a resident of Ann Arbor.

And therefore, we have an opportunity for greater diversity.

Thanks.

>> Mayor Taylor: Further discussion of the postponement.

Councilmember Song?

>> Councilmember Song: You know, I'm looking at the makeup of the board now. We have two bankers.

I don't know where folks live or if that's a requirement and that's an interesting question, but I have seen Mr. Krutko's work firsthand when Toyota relocated 300 employees to the area.

So it's not like this is unknown work or influence in the community and it seems like if this gentleman is able to -- is critical to this work, and keeping Ann Arbor as the seat of economic -- we're the economic engine of the county.

So more experienced hands on deck, the better.

So I would be in support.

>> Mayor Taylor: Further discussion postponement.

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: No.

>> 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 Song.

>> Councilmember Song: I spoke on the main motion last time.

So I apologize for that.

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

I would like to just observe it's been observed that this board could use diversity.

Out of the five members who I believe are on the board presently, there are two women, and two persons who have identified as African American.

I will also observe on the with respect to our boards and commissions 41% are females and 51% of members are female.

9% of applicants are African American, identify as African American and 12% are of members appointed are African American, and so only and so forth.

I think you will see certainly with respect to the folks that I have -- whose nomination that I have initiated that they are far and away the most diverse set of commission members that you will have seen, and that they -- they certainly reflect the broad diversity and experience of our community.

It is incredibly important that we have that diversity.

It's important for council to receive that broad set of inputs.

It's valuable to activate boards and commissions, to activate the knowledge and the expertise and the experience that is within our various communities throughout -- throughout Ann Arbor and it's important too that staff have a broad set of engagements with people from all over our community.

That is what you see in our boards and commissions.

I'm certainly -- and I will also finally observe that a number of our boards and commissions do have requirements or expertise with respect to trades that are -- do not traditionally have a gender balance to them.

So I think it's particularly important to observe what has been done over past number of years in terms of ensuring that -- that the women in the community are fully represented in government.

It's something that's incredibly important to us all.

Councilmember Ramlawi.

>> Councilmember Ramlawi: When we speak about diversity, I guess I'm speaking more than just check the box.

I'm speaking about people's real life experiences, work experiences, giving them an opportunity that they would not otherwise receive.

I believe this individual has a tremendous amount of talent and has had great influence on our region.

Still can and still well or without this seat.

My concern is why are we not opening the door for more people to be included under the tent?

We keep getting the same names over and over again.

Why don't we allow for others to serve in these roles diverse the work and the life experiences of members of our community?

I do not oppose this person in particular.

But when I speak of diversity, I'm not looking to just check the box.

Thank you.

Councilmember Griswold.

>> Councilmember Griswold: Does staff have the information of how many of the commissioners reside in the city of Ann Arbor versus outside the city?

>> Mayor Taylor: Mr. Fournier.

>>> At our fingertips.

It's probably something that we could prepare.

>> Councilmember Griswold: I thought maybe the mayor had it give than he was reading off some of the information about the other commissioners.

>> Staff doesn't.

>> Mayor Taylor: I'm reading directly from Granicus and it does not identify residency.

Maybe it does on some.

>> Councilmember Griswold: Okay.

Thank you.

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

Roll call vote, please starting with Councilmember Song?

>> Councilmember Song: I just want to note that I'm pretty sure we have -- we have commissioners who do not reside in the city.

We have had on ICPOC, we approved folks with council vote.

So it's not unheard of to have folks would have the interest in the betterment of our community or folks who cannot live in the city or do not live in the city; is that correct?

Can staff confirm that?

Okay.

Thanks.

>> Mayor Taylor: Further discussion?

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> 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: Thank you.

DC-4 Resolution to Approve an Agreement between the City of Ann Arbor and Washtenaw County Regarding Responsibilities and Cost Allocation for Design and Engineering Services for the Bandemer-Barton Trail Connection Project.

Moved by Councilmember Grand, seconded by Councilmember Disch.

Discussion, please, of DC-4, councilmember -- I'm sorry.

Ms. Beaudry.

>> Clerk Beaudry: Mayor Taylor, I believe we skipped DC-3.

>> Mayor Taylor: I'm just so excited about DC-4.

I have too many things opened up.

Thank you for your help.

DC-3, Resolution to Acknowledge and Commend Roger Rayle and the Coalition for Action on Remediation of Dioxane (CARD) For Longstanding Public Service To Monitor and Protect Residents Of Ann Arbor from Exposure to Harmful Chemicals in Ann Arbor Freshwater Sources.

Moved by Councilmember Hayner, seconded by Councilmember Disch.

Discussion, please, of DC-3.

Councilmember Griswold?

>> Councilmember Griswold: I want to thank the environmental commission for recommending this resolution, and passing it unanimously at their last meeting. CARD is an organization that I belong to for many years, and it's one of those organizations that they make it look easy.

It's a highly functioning organization.

In some cases, you have state officials.

Sometimes Congresswoman Debbie Dingle is there.

And we're able to get work done.

Without CARD, I don't think we would have been able to encourage the governor to recommend that a letter be sent to the EPA.

CARD is a place to go if you need information about dioxane, about other chemicals and I know that we can also go to our state, but I'm not -- not our state, but our city.

CARD is bigger than just our city.

And I have truly enjoyed working with all of the members of the CARD from the different governmental entities, including Scio township, Ann Arbor township, the county.

So, again, thank you to Roger Rayle and to the members of CARD.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I will start off by saying, Tuesday, October 5th, tomorrow at 6 p.m. is the October meeting the CARD group.

It also -- it's going to include election of the board members.

It really is an interesting thing.

It's been my great pleasure to have attended these meetings for quite sometime now, and there's a lot to learn there, and, you know, sometimes it seems kind of

rote if you attend a handful of these meetings, the same thing happens over and over again.

We have a 100-year problem here, and it comes up over and over again.

It never gets tiresome for me.

I'm interested in it.

I think it would behoove us for the long-term benefit of the city and not only the city but greater Ann Arbor area, that we -- because we supply water to the townships now, to really give some consideration in working with the county and the state and try to pry loose a little funding to archive the tremendous amount of data that has been collected over the years not only Scio residents for safe water, which is Mr. Rayle's primary nonprofit that is integrated into CARD, but also the CARD data itself, because without that, and without the constant pushing by Roger and others to have a data standards applied to the sharing of data, that is mandated in the various consent judgments that have been passed down over the years, we would be missing all kinds of stuff.

We wouldn't know where to put our wells.

I mean the data that has been collected, it's just one aspect of CARD's function is invaluable to the city and our pursuit of this cleanup.

And so I just want to put that out there, that we really need to take a look at organizing and categorizing and archiving this data in some manner because it's going to have great value to us in the future.

And so, you know, I -- thanks to Roger for getting me involved way back when, I think it was mayor one of your very first -- one of these very first street fairs or green fairs in 1991 or something.

He had his table out there and it was fantastic.

He had the maps and the maps tell all, you know?

I just -- I just can't thank Roger enough for all the good work he's done and all the folks at CARD who make this long commitment to hanging in there and stewarding really our greatest natural resource.

I'm happy to be sponsoring this.

>> Mayor Taylor: Councilmember Briggs?

>> Councilmember Briggs: Thanks.

Yeah, I also want to just acknowledge and thank Mr. Rayle for all.

His work.

Citizen advocacy is incredibly tiring and the length of time he has spent on this issue is incredible.

He definitely deserves acknowledgment and accolades.

He was certainly very generous with his time.

When I came on to council, trying to get -- share data with me and bring me up to speed a little bit and I know he's done with this countless public officials in the past so thank you to him and to all at CARD.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I want to take a quick opportunity to publicly express my appreciation and thanks to Roger Rayle and members of CARD.

Unfortunately, I haven't been able to make too many of their meetings because

they are on the heels of these late meetings, but it's -- I think it could be said -- I can say confidentially that we would not be where we are at today in the progress we have made against the polluter if it wasn't for him and the countless other volunteers who spent thousands of hours educating us and educating others and advocating for clean water and for enforcement to get development to act accordingly.

I'm sorry it took so long, but it was finally a council who is willing to listen and take the -- take the information they were given and do something with it, and I'm proud to be part of that council who took the courage to ask the governor to ask the EPA to come in and address this -- this pollution site and designate it as a super fund site to get the federal enforcement powers that we need and effectively quit wasting our time and the other pursuits that were not getting us what we deserve.

Thank you so much, Roger, and thank you to everybody else at CARD for getting us to where we are at today.

And, of course, I'm sorry, the environmental commission for bringing us this resolution here today to be able to officially honor the work.

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

All in favor?

Opposed?

Approved.

DC-4, resolution to approve the agreement between the city of Ann Arbor and Washtenaw County Regarding Responsibilities and Cost Allocation for Design and Engineering Services for the Bandemer-Barton Trail Connection Project.

Moved by grand and seconded by Disch.

Discussion, please, of DC-4.

Councilmember Hayner?

>> Councilmember Hayner: Thanks, just for record keeping, I would like to cosponsor this.

I think is -- it's great that we're finally doing this as a city.

I know we had a lot of conversations.

There were questions about where the trail would go and we got some nice presentations about that and it's just -- it's really great that this is -- that this is finally happening and we are taking on the responsible for the city section of this. And it's really all that's been missing now.

I have been doing a lot of kayaking this summer and you get out there and you can see the folks enjoying the trail on the various sides the river as you move along there and it's just -- it's -- we have seen the economic development benefits of this kind of resource in communities, the connectivity, the recreation. I mean, it's just -- there's so many things going for it that I know it seems like a great expense which I normally don't go for, but in this case, it's -- it will live well beyond whatever we're spending on this, and so, I just -- I'm just really happy to see this before us and I really appreciate it coming forward and all the work that's been done, with parks and taking a look at where they should go and what the best areas are and so on, and it's just -- it's really going to open up that whole

part of town to the type of traffic that is really swarms the -- swarms that area. I mean, as a former member and Michigan bike team, we used to ride out there -- I just can't even -- I just wince when I drive out there now, or ride out there on my bike, because it's so narrow.

I just -- it's going to be so great to have off street pathways along this.

So thank you all for supporting this.

Hopefully we can support this and move it along.

>> Mayor Taylor: Councilmember Griswold?

>> Councilmember Griswold: Yes, I want to acknowledge that this is an example of a regional project working with our partners at Washtenaw County.

I look forward to more regional projects.

I want to thank Colin Smith who is here today for making this possible and I would like to be added as a cosponsor.

Thanks.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Yes.

I too am just excited to see this finally hitting our council agenda.

It's been a long time coming.

We have been wanting this gap filled for decades for anybody who is -- bikes, runs, walks in this area, they know how -- how much this is needed, the railroad has worked diligently to try to blockade this path and folks worked just as hard to get around it.

We desperately need a connection here.

So I'm so excited to see this design moving forward and really happy with the collaborative effort that is moving it forward.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I want to express my excitement about this and thank the community members -- the community, the county and also the bicycle advocates who have been working tirelessly on this for more than a decade to bring it to us and this is going to be a gateway between the north side and the west side, that will not involve crossing four dangerous lanes of traffic or bumping your bike over some railroad ties.

So this is fabulous.

It will also -- it should be noted, involve a significant private fund-raising effort and it's great to see so many hands coming together to support something that will be a really beautiful benefit to our community and the region.

>> Mayor Taylor: Yes, for my part I would like to echo my thanks to staff here at the city, of course, and the county, but, you know, to willing on Councilmember Disch, I would like to specifically identify and break out an expressed gratitude for the private financial support that comes from the Huron water loop pathway initiative and its donors.

This is a private, you know, nonprofit.

Well, a nonprofit that has been organized for the purpose of improving the trail.

And it has been incredibly successful in other parts of the county, working on other parts of trail and now we will be enjoying it here in our collaboration with --

with the Washtenaw County parks and recreation commission, the city and the Huron water loop pathway initiative.

It's a -- it's a public/private partnership with a mission to rapidly expand non-motorized transportation for city and county community members and I couldn't be more excited.

It's something that we have needed -- desperately needed for a long time, with municipal attention, county attention and incredibly active and engaged and great finally deep pocketed private attention.

You know, we are going to be able to get this done, all working together looking at the same -- looking the same way.

So I'm glad this is moving forward.

Thank you to all concerned.

Councilmember Ramlawi.

>> Councilmember Ramlawi: Thank you.

You know, I will kind of just keep echoing what was said about this.

As some someone who enjoys biking this area this is one part which makes that entire trip hazardous and trepidatious.

I'm so excited to see this, and I know it's going to be many years before we can actually realize the benefits of it, but I just wanted to extend my thanks to everybody who has come before us to make this happen, and made it easy for us to just say yes tonight, but this is as folks who know this area well, a much needed improvement to getting us connected and enjoying the wonderful benefits that we have that for many people they can't enjoy it because of the obstacles that present themselves in this area.

So this is welcomed news, great news.

I wish we had more of these kind of newsworthy moments, but we'll take 'em when we can get 'em and thank you so much for those who have brought this to us tonight.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: Thank you.

A lot of what I was going to say has been said about the private -- you know the public partnership and how valuable that S. I'm glad that Colin Smith is here and Coy Vaughn.

I'm glad this is going forward in the stretch.

You know there's been a lot about the importance of cycling connectivity and that's clearly important.

But this is a dangerous crossing where we have a lot of -- not just experienced cyclists but young people crossing on foot as well, so I'm just thrilled after having gone through the parks for years and years to see this critically important step.

So thank you.

>> Mayor Taylor: Councilmember Radina.

Thanks.

I don't want to spend too much time echoing who has already been said.

I want to thank everyone who has put work into this and I'm excited to see it go forward and I would like to be added as a cosponsor, please.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: Having thanked Colin Smith, I also want to thank coy Vaughn on behalf of Washtenaw County.

He's here with us tonight.

And this is a great project.

So we don't really have any questions for you, but thanks for coming.

>> Chair Mills: Further discussion?

Councilmember Griswold, did I forget to drop your hand?

Did you put your hand back up?

Are you good?

Thank you.

Further discussion?

All in favor?

Opposed?

It is approved.

DC-5, resolution regarding independent investigation and placement of acting city administrator on paid administrative leave.

Moved by Councilmember Nelson being seconded by Ramlawi.

Discussion of DC-5.

Mr. Fournier.

>> I would like to request that council move into closed session I believe as is my right as the employee who is subject to the resolution.

>> City Atty. Postema: Yes, that is correct, and you have a written -- you have a written -- you have a written advice memo.

Mr. Fournier is correct but it does not because it's legal advice also in that, it does not necessarily entitle him to be in that meeting and I believe he understands that because it would be the underlying complaint that he generally knows about.

Yes.

>> Yes.

>> Mayor Taylor: Councilmember Hayner and then Councilmember Radina.

>> Councilmember Hayner: I respect that request and it was my understanding that we have a closed session potentially on another issue anyway.

Is it possible to shift the agenda to go into closed session and then come out and discuss whatever is left of our meeting?

>> Mayor Taylor: I think we can just go into -- we have a -- an advice memo on that matter, if I can have a motion to go into closed session to discuss that advice memo and then we can deal with this on agenda?

>> City Atty. Postema: Yes, there's two ways to go in on the advice memo and on the -- on the complaint, under the open meetings act.

It can go under one or both, I suppose I would recommend both.

>> Mayor Taylor: May I have a motion, please.

Moved by Radina, seconded by Councilmember Grand.

Discussion of the closed session?

Roll call vote -- is that a question?

>> Councilmember Briggs: It's a silly question.

Do we have a second link to a new closed session?

>> City Atty. Postema: I think we can just go into the link that Mr. Wilhelm gave to you for closed session.

I think we can use that for this and then we can -- could you put Mr. Wilhelm on, Jackie.

>> Clerk Beaudry: Yes.

And can you clarify, please what the reasoning under the open meetings act.

>> City Atty. Postema: Yes, there's two things.

The open meeting act under section A for a personnel complaint and also under the provision for written legal communication advice memo.

So those two under the Michigan open meetings act.

>> Mayor Taylor: Thank you.

And we'll go into closed session mechanically using Mr. Wilhelm's link.

>> City Atty. Postema: You will be there, you will be there with a host and other attorneys will also join because it's only this issue and not Mr. Wilhelm's issue, Mr. Fournier will not be joining us.

Is that acceptable?

>> Yes.

>> Mayor Taylor: Do you have a question, Councilmember Hayner?

>> Councilmember Hayner: Will we have a second closed session for Mr. Wilhelm's information?

>> Mayor Taylor: Yes, we will.

>> City Atty. Postema: We will not deprive you of any closed session, Councilmember Hayner.

>> Councilmember Hayner: That's fine.

I just -- just logistically.

>> City Atty. Postema: Okay.

>> Councilmember Ramlawi: And we will be using the same link for both, correct?

>> Mayor Taylor: Correct.

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: Welcome back.

We're here after a closed session, a short break.

Can I have a motion to go back into open session, please, moved by Councilmember Radina, seconded by Councilmember Briggs.

Discussion of going back into open session?

All in favor?

Opposed?

We are back in open session discussing DC-5 has been moved and seconded, has it not?

>> Clerk Beaudry: Yes, it was already moved by Councilmember Nelson and Ramlawi.

>> Mayor Taylor: Thank you very much.

Discuss, please, of DC-5, Councilmember Griswold.

Ms. Beaudry, can you give me lower hand authority.

My apologies for interrupting.

>> Councilmember Griswold: I submitted an amendment to the city clerk regarding the final resolve clause, if she could send that out, please.

>> Mayor Taylor: Is there a second.

Seconded by Councilmember Ramlawi.

Discussion, please of the amendment.

Councilmember Griswold?

>> Councilmember Griswold: It's my interpretation of the allegations that council needs to take some action.

I realize that we have been given a number of alternatives from our legal staff, but I believe this is a responsibility that rests with councilmembers.

This amendment, I believe, would provide the least amount of disruption while ensuring the safety of all members that are -- all parties involved and would meet the requirements that I believe council has.

>> Mayor Taylor: Councilmember Nelson?

>> Councilmember Nelson: I have a question for Councilmember Griswold.

What form do you envision notice taking place, and what do you envision that looking like?

Notice from who?

>> Councilmember Griswold: That would be a notice from the legal department.

I left this vague intentionally, so that staff could -- could address it and come up with what they thought was appropriate given that they are the experts and I believe that council could delegate to it the admin committee and we are meeting on Wednesday on another matter.

And we are also meeting -- full council has an interview process in place on Wednesday evening.

So we could possibly add this to the agenda.

>> Councilmember Nelson: Thank you for that clarification.

I just want to reiterate what Councilmember Griswold said that we have been advised -- we have been advised that this is a responsibility that is a policy

choice for us to make, and while we may disagree on what safeguards are necessary, I -- I would support this as a compromise in the interests of protecting people who have expressed a need to be protected.

>> Mayor Taylor: Mr. Postema, would you -- would perhaps you and/or Ms. Radabaugh, your other designee advice as to the existing state of safeguards?

>> City Atty. Postema: Yes, I think that's important with Mr. Fournier here and certainly the process what we're trying to do because Mr. Fournier was not in closed session.

So I think in doing that, I think it -- it will help him understand the resolve clause is that the issue and the obligation for the city, obviously, is to -- when somebody makes a complaint, to make sure that there is no harm to someone who has made a complaint.

Mr. Fournier is aware of that.

That no adverse action can be taken against this person who has made a complaint.

And the other protocol that happens is the minimization of contact and that is to make people feel comfortable and to have no misunderstanding and that I believe -- and Mr. Fournier has -- does understand that.

He has, as I understand, no meeting schedule, no one-on-one meetings, no group meetings with Mr. Guajardo, but there are -- and he can clarify there are some select meetings that are agenda meetings for, you know, 50 or 60 people, which he would be there, but -- but he is aware that pending -- during this investigation, there should be no conduct -- contact with the complainant.

That's just -- you know, that's just basic.

And so I guess I'm asking is -- is that what you are asking for, you know, certainly Mr. Fournier is aware of that.

>> Mayor Taylor: Well, I guess I'm asking if -- I was under the impression that those communications and those rules of the road have been articulated, and that those rules of the road have been agreed to.

And if you will, that those safeguards, as I hear you saying them, are, indeed, presently in place, presently in place for the purpose of ensuring the absence of harm to the complainant and ensuring the integrity of any subject investigation.

So what I hear you saying is that those safeguards under place now?

>> City Atty. Postema: Yes.

Yes, and an issue arose as you were aware about the -- what direct contact would be and whether that would include a larger group meeting and I think that clarification from the council on that in the resolve clause is something that you are trying to understand and -- but I think to understand that properly, you might want to just know what type of -- you know, what type of anticipated contact there would be, you know.

There might be a group email about a -- a schedule for a meeting that is to all employees.

So that's really what you are looking for, but I think it's not inappropriate, I suppose to hear from Mr. Fournier about just over the next two or three weeks

what sort of contact would be incidental contact would even be contemplated because he's already sent me some questions on the communication and whether it's facilitated by me, Mr. McDonald or Ms. Radabaugh.

There has to be some communication back and forth for the city to work.

And so not to put Mr. Fournier on the spot, but he's heard what the concern is, and I think it's helpful to know what -- what possible points of contact are there in the next two weeks.

>> I think if the council is interested in having a discussion about that, I would like to go back into closed session, and perhaps be included this time.

>> City Atty. Postema: Well, it really relates to the resolution at this point, and so I -- that's -- that's really not an option at this point.

So I understand your concern, but I guess my overall point was not the nitty-gritty details.

You have already been -- we have already identified the issue of no individual contact which is -- which is -- which is standard.

So I -- I don't know what else to say, mayor.

>> Mayor Taylor: All right.

But I heard you say is that safeguards are in place for all parties.

On this amendment, Councilmember Ramlawi.

>> Councilmember Ramlawi: Unfortunately, I don't support this amendment.

I believe it's outside an inconsistent with norms and practices surrounding investigations of this type and gravity.

And I don't think I can support it.

It's obviously too vague and we have heard already concerns on -- on implementation of it.

So I will not support it.

And I think it's outside norms and practices that are used with this type of gravity.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: A process question.

I moved an amendment and then we have a second amendment.

So the second amendment from the city attorney is that an amendment to the amendment or are we just --

>> Mayor Taylor: It has not -- the second communication from Ms. Beaudry, with the amount drafted by the attorney's office has not been moved or seconded as an amendment to your amendment.

>> Councilmember Griswold: All right.

I was just asking for clarification.

And I guess this is very awkward and uncomfortable but the allegation I'm going on right now is the language since the attorney -- the city attorney cannot be trusted to follow guidelines for protecting whistle-blowers.

So this allegation is about the city attorney's office, and that's why I'm taking -- why he I in -- why I introduced this amendment to the resolution.

I wanted to point it out, that this is regarding the city attorney's office at this point.

So it seems like we are discussing referring responsibility back to the city attorney's office, even though the allegations are against the city attorney.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: I appreciate what Councilmember Griswold's concerns are, but I also heard her state that city staff are the experts.

I agree with her on that.

I'm curious with regard to this resolve clause, this amendment, is administrative leave necessary to ensure that those safeguards are in place?

And would that be the norm, based on recent past practice?

This is for Mr. Postema or anybody else in the attorney's office.

>> City Atty. Postema: I would defer to attorney Radabaugh.

>> As to past practice, the previous two administrators when they have been under investigation, they have not gone under administrative leave.

Others have.

As to the safeguards, I think Mr. Postema outlined, we have already put those safeguards in place, and I think -- I think what he was getting at is Mr. Fournier, at least to our office, has expressed he's amenable to those safeguards and to have limited to no contact with Mr. Guajardo, pending the outcome of this investigation.

>> Mayor Taylor: Councilmember Hayner and then Ramlawi.

>> Councilmember Hayner: I find this based on our conversations in closed session, a reasonable compromise and I will support this amendment.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I have concerned beyond what I originally stated, and that is this file, this complaint that was filed and given to council to act on, identifies people in the organization other than the author of complaint.

So while we are trying to protect folks in the organization and the complainant, the author of the complaint -- the complaint is further reaching broader than one individual.

I believe that in order to conduct a proper investigation, we should follow the norms and practices used in these instances that are suggested by professionals.

>> City Atty. Postema: And thank you, Councilmember Ramlawi thank you for the discretion.

It would be improper to name any people until an investigation is done.

So thank you for your discretion?

Wording that.

And -- but I think that the -- the representation on the office, I can't really get into other than the fact that the directing the outside counsel, we coordinate that, and the issue that this would go to an outside counsel has been clearly identified at all times and that will -- that will get things moving very quickly.

To resolve the investigation.

Yeah.

>> Mayor Taylor: Councilmember Grand.

>> Councilmember Grand: I think the helpful explanation by Ms. Radabaugh, I don't view this as a compromise.

I view the upcoming resolve clause that we'll be bringing forward as a potential

amendment, this is not.

This is not, as we heard from Ms. Radabaugh within the norms and practices of what needs to be done to protect a complainant and the fact that we are moving forward with an outside investigation.

So the other resolve clauses are somewhat redundant demonstrates that this is excessive.

And I believe councilwoman Griswold has already spoken twice.

>> Mayor Taylor: Further discussion?

I believe councilwoman Griswold, you have already spoken twice on the amendment.

Further discussion of the amendment.

I'm sorry, Councilmember Nelson.

>> Councilmember Nelson: This actually is a pretty significant compromise because the original resolution asked that the administrative leave continue throughout the course of the investigation, and so what has been proposed is potentially much, much shorter than -- the amendment that's proposed is much, much shorter than the length of time that is referenced in the original resolution.

>> Mayor Taylor: Councilmember Grand on the amendment.

>> Councilmember Grand: I will vehemently disagree with Councilmember Nelson.

Just you make it a little shorter.

If it was wrong in the first place, it was wrong.

So compromise is taking something that's brought forward the day of and trying to all make it better together, which I hope we are going to do.

>> Mayor Taylor: Further discussion on the amendment.

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: No.

>> Councilmember Ramlawi: No.

>> 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, I guess we have a -- Councilmember Radina.

>> Councilmember Radina: Yes, I would like to move the amendment circulates by clerk Beaudry that was provided by the attorneys.

I don't know if for the public we should read it.

>> City Atty. Postema: Yes, you should.

>> Councilmember Radina: Amending the final resolve clause resolved that the

city council directs the city attorney's office to facilitate policies and procedures to ensure the integrity of the investigation, and prevent any harm to the complainant, including policies and procedures regarding communication protocols between all parties, and subject to review and modification by outside counsel and the council administration committee.

>> Mayor Taylor: Is there a second?

Seconded by Councilmember Song.

Discussion of that amendment?

Councilmember Griswold.

>> Councilmember Griswold: Well, I just want to repeat again that the final allegation that we received today states, since the city attorney cannot be trusted to follow guidelines for protecting whistle-blowers.

So the allegations are against the city attorney and -- so the appeal is to the mayor and the city council, but instead of dealing with this matter, we are simply referring it right back to the city attorney's office, which I don't believe is appropriate.

It may seem logical and practical, but I don't think it's allowed under law.

>> City Atty. Postema: Councilmember, and Mr. McDonald may weigh in.

There is no complaint against the city attorney's office.

And I think that you just need to -- the nature of the complaint to talk about the specifics of what the complaint is, is improper to -- to discuss that.

You have made general allegations but in any sense, the -- the point of this facilitation is to -- is to establish things that Mr. Guajardo is comfortable with and to do otherwise does a disservice and that is to the extent that there are a lot of people involved in this, Mr. McDonald has been involved, attorney Radabaugh and about referring to the office and facilitate, there are many people who can do that.

That's easy, to the extent that he's comfortable with one person over another, he's called a number of us, including me today to discuss this.

So.

>> Councilmember Griswold: I just don't think that's relevant to the language that I'm reading and I'm interpreting city attorney to mean the city attorney's office.

Now, at which point I get other written communication then I could make a different decision but this is what I have to work with.

>> City Atty. Postema: That's what it says.

It directs the city attorney's office to facilitate.

>> Councilmember Griswold: Yes, I'm referring to the actual allegations.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: Again, I won't be supporting this either.

I think complainant has made it quite clear that he first tried to take this process through the attorney's office, found it insufficient and raised the alarm -- raised the concerns to the members of this body to take action.

And now to punt it back to the city attorney's office which was first notified of all of this and could not resolve the issues at hand, I think is -- we are not taking our responsibility serious enough.

And we're adjudicating ourselves from the roles that we fill.

This person came to council repeatedly asking for emergency action, not to have it referred back to the city attorney's office.

I think it's quite clear and I interpret the language just as my colleague did, whether it's the city attorney or the city attorney's office.

I think the author intended to suggest it is the office in its entirety not in one person.

So this is a decision for this body to take and to make and it should not be punted back to the office that couldn't solve the problem to begin with.

I think -- I think that is just the most irresponsible action to take.

>> City Atty. Postema: Councilmember, only the council can -- only the council can do what the -- what you claim the complainant is saying, and again --

>> Councilmember Ramlawi: The complainant has first come to your office --

>> City Atty. Postema: Councilmember, please --

>> Councilmember Ramlawi: So they came to us.

>> City Atty. Postema: No, that is -- the issue of the investigation was -- the outside investigation was clear.

The issue of removing -- removing somebody cannot be done by the city attorney.

If I had that power, perhaps I would think about using it, but the point is the removal of a city administrator can only be done by the council, and so that's what you need to understand.

>> Councilmember Ramlawi: And --

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I think it's worth noting that every single member received the same communication, pleading with us to act to protect the complainant, and the one request was that the situation the person be removed from the situation and I'm very disappointed that the proposal, the compromise to make a very short period of time when they were sure that they were taken serious. We are essentially saying trust us and what you are asking for, we don't believe it's necessary.

I never received an email like the ones we have received since Friday.

This is a different kind of situation.

We have been explicitly asked for protections and with this amendment, with the rejection of the previous amendment we are basically saying no, we won't protect you and that is highly concerning to me, given the imbalance of power that exists in this situation.

Thank you.

>> Mayor Taylor: Councilmember Disch.

>> Councilmember Disch: I wanted to just affirm that emergency action has already occurred and was taken immediately, as soon as these complaints surfaced.

An external investigation was launched.

So our job as councilmembers now is to ascertain what is required to ensure the integrity of investigation and prevent any harm to the complainant.

I think we have a disagreement on council as to how we might best do that. But this -- the amendment before us directs the city attorney's office to facilitate ensuring both of those things, the integrity of investigation and the protection of the complainant and it asks -- subjects whatever action the city attorney's office takes to review a modification by outside council and council administrative committee.

The -- excuse me, administration committee.

So this amendment is a bit more specific than the previous one that we had.

Granted it does not put anyone on administrative leave.

But it achieves the objectives that are called for.

And it recognized the fact that contrary to some impressions that might be because of how it was covered in the press.

There was an investigation underway even before we had a chance to meet.

>> City Atty. Postema: Councilmember, I just need to correct the -- the outside investigation is that an outside investigators had been contacted immediately first thing this morning even without the complaint, the formal written complaint that was filed at 4:00 with the details but just based on the initial complaint, that was done and I advised the council that that would be protocol, but I want to correct one minor thing and that is that the outside investigation has not started because this -- they have to clear conflicts in a sense but there a protocol, and they and the materials would have to be sent and I would have to engage them.

It's incorrect to start.

It's in process, I suppose.

>> Councilmember Disch: I'm sorry.

I should have said initiated.

The a good clarification.

>> Councilmember Eyer: Thank you, Councilmember Disch for that really clear explanation.

I mean, in that sense, the first resolve clause really isn't even necessary because we know it's already in motion, as it should be.

Any allegations like this should be investigated and taken seriously.

We have also been advised that protections have been put in place.

Whistle-blower protections and it's patently false to say that we are doing nothing.

We are doing exactly what is called for in this situation, and what conforms with past practice.

And, you know, further, we have been advised not to discuss the allegations as any discussion of the allegations may be harmful to the complainant themselves.

And it -- it mystifies me why councilmembers are speaking in ways that may harm the complainant.

So I just -- I beseech you to please stop.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I'm also a little disappointed, the suggestion that this body is not taking this seriously is incredibly disappointing.

We spent hours now in closed session.

The amount of time that our legal staff and that this body has taken in the short amount of time that we had the complaint I think demonstrates the seriousness of that and I want -- I think it's harmful to even suggest to employees that it's not being taken seriously, that it absolutely is, and to that point we have been assured repeatedly that an independent external investigation is already being initiated and will proceed as planned as has been stated placing at active administrator on paid leave, would be inconsistent with past practice. Neither administrator Lazarus or Crawford were placed on administrative leave. We have the power to change that decision should any rise of interference of investigation.

I absolutely believe that that would be appropriate at that time.

Finally, I will say I support this because we also that Mr. Dehoney will soon be joining our city and at which point he will also be responsible for supervising staff in question and will likely determine the best course of action upon the course of the independent investigation and any additional steps that need to be taken in the interim, I believe that we as a body should respect and support his decision as well.

I believe this is the most appropriate course forward right now based on the information we have and I absolutely believe that this body is taking this seriously and I want to reiterate that.

>> Mayor Taylor: Thank you, Councilmember Grand.

>> Councilmember Grand: I don't have too much to add than the people. If any staff member has been treated unfairly tonight, it's the staff of the attorney's office.

The language is disrespectful for those who acted at the last minute demonstrating that they do take.

These concerns and complaints that have arisen over the past few days working on it late into evening, over the weekends, spending about three hours by my count in closed session with us this evening, making sure that we are well prepared to make an informed decision about something that has come up rather suddenly and we do take very seriously.

Having been through more of these investigations than I would like to know and do have experience -- I have seen them go both ways, right?

Sometimes it comes out the side of the complainant, and sometimes it comes out on the other side and so I know that while sometimes it may be lengthy and expensive that these independent investigations we have a good track record of helping us work through allegations that are made and I'm hoping that because of that, that we create an environment and continue to create an environment where if there are concerns, they are raised.

>> Mayor Taylor: Councilmember Hayner.

>> Councilmember Hayner: I think it's a shame that we are having this conversation again.

It speaks to something that is troubling at the core of what is happening here in our community.

I'm not sure what that is.

This amendment offers a solution surely as the other one did, but based on previous actions and inactions of this body and the face of similar or ultimately -- or possibly lesser complaints, I don't think it's best solution.

I'm not going to support this amendment.

I think it -- I understand the spirit in which it's offered, but this is sort of a trust situation, and I don't -- I'm just speaking for myself here, I don't -- you know, we haven't always done the best with these things.

I don't believe I have always done the best with these situations and so I wanted to make sure, you know, I supported the original resolution because I think it was reasonable and well within our authority.

And so I'm not going to support this amendment.

It isn't the type of action that I feel comfortable taking.

It's -- it's too dependent on others.

I would like to exercise my own responsibility in this matter, and this doesn't do that, to my liking.

I don't support this.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: Thank you.

I think it's obviously important that we take any allegation that a -- somebody brings forth in the city seriously and that has been done as we have noted multiple times, an external investigation has been initiated but I think it's really important that we -- one thing that is not conforming with past practice is that oftentimes we -- we have these discussions after an internal investigation has been completed and we are able to reflect as a community on that, some of that information.

And so it's a little unusual that we would be having this conversation tonight in this forum quite so publicly.

I think it's really important for us and for community at large to make sure that we have these external investigations so that we make sure that there isn't any bias and that we get all the investigation and we look at the information fairly and objectively and that's why outside council is being brought in, in part, but there should be no conclusions reached about -- about these until we have a report in our hands at some point because that is very important to the accused and also to the person who has requested that this -- that we launch an investigation.

So I will be supporting this amendment.

>> Mayor Taylor: Councilmember Ramlawi?

>> Councilmember Ramlawi: I apologize, I got booted off so, I'm not sure what I missed, but it seems like the -- certain councilmembers are committed to their positions and they are not going to -- they are not going to budge.

I believe removing them, the employee in question is critical to protect the integrity of investigation, period.

Period.

There is no assigning of blame.

There's no assigning of anything.

We are just trying to get an investigation that has integrity and one that is done

with best norms and practices.

And that's not what is being proposed here.

We are being -- what is being suggested is to do what has been done before and has failed this body, this community and this individual and this organization before.

We are not taking this the way we are supposed to take it.

And I'm not going to wait until there's more harm done to minorities and People of Color before taking responsible action.

I have been in this seat now for two and a half years, three years, and I have heard repeated issues within this organization of racist and discriminatory practices without having a thorough and complete investigation done with integrity.

I would like that done now.

And I'm not going to accept anything less.

If folks want to paint this way or that way, go right ahead.

This was brought today by four councilmembers because the city attorney's office could not find a solution to this problem.

>> Mayor Taylor: Councilmember.

Councilmember Song.

>> Councilmember Song: I cannot express how excited I am for the independent investigation to come.

It's clear that none of us are investigators.

We have nothing to evaluate.

We have claims and allegations.

Which, you know, these issues have come up before with other city leaders and we have worked through them.

Once we had something to actually evaluate.

We have a process.

We have a means of having an independent investigation.

Right now we have allegations.

It saddens me to no end that we are still tangling with issues related to, you know, allegations connected to discrimination.

You know, we have an antidiscrimination policy.

We have codes of conduct.

We talk about this a lot.

We actually talk about how racism is rooted in white supremacy.

We also argued about that.

But I think we can come to agreement that, you know, we can work through this situation because we are a city that believes in fairness.

We are a city that believes in processes.

We are a city that believes in the expertise that's provided to us by city staff who knows well enough to remove themselves in this process and to also give us advice where needed since we ourselves are not attorneys and we do not represent Mr. Guajardo or Mr. Fournier.

So I'm eager to see this process come through.

I'm hoping that the investigation is timely and I'm thankful to the city attorney's office for being responsive to this so quickly.

This came to us on Thursday evening -- no.

Friday.

Friday and here on Monday -- no, we are Tuesday.

Now we're on Tuesday.

So let's get this going.

>> Mayor Taylor: Further discussion of the amendment.

For my part, I will support the amendment because the amendment does what we all need to do and that is that we need to have procedures and policies to ensure the integrity of the investigation and prevent harm to the complainant.

That's what we are doing to take this seriously.

We, the resolution also includes reference to -- reference to an external investigation which is absolutely necessary.

That is taking this seriously.

Whenever an employee has a concern about the nature of the workplace, we take it seriously, period, full stop.

It's also true that we -- we adopt the best practice and the best practice here is to ensure that the employee and the complainant are because they are able to do their jobs in a manner that is distinct from each other because we are able to implement policies and procedures to ensure the integrity of investigation, and because we are able to do these things, no leave is appropriate.

The best practice is not to have leave because the service of the employee is important to the organization.

Further, you know, I guess it's important too that we recognize and realize that -- that, you know, we -- and I guess I would like to echo what some of our other colleagues have said how important it is that we recognize that we are on the front end of a process rather than the back end.

The previous conversations have been, you know -- gone the other way.

And while that's where we are, the nature of our communications.

You know, at the beginning of a process, we -- at the beginning of the process, we don't know where it leads.

We don't know where it ends and it is important that as, you know, we reflect upon it, as the organization reflects upon it, that, you know, we do right to honor the inquiry, honor the importance of the values being -- the importance of the values being reflected in our actions and important all the process that is to come.

And these things bundle together.

We are acting -- the organization is staffed by professionals, and that's how it's going to conduct itself up and down the line is and so I think that the amendment as drafted achieves that goal and does it well.

Further discussion of the amendment roll call vote, please?

Started with Councilmember Nelson?

>> Councilmember Nelson: No.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Absolutely 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.

Further discussion of the main motion as amended?

Councilmember Ramlawi?

>> Councilmember Ramlawi: Well, I don't know what to say any longer.

I feel like a broken record up here.

What we just witnessed is a complete failure of leadership.

There's not one H.R. director, one competent H.R. director, one person who is in charge of a reputable large organization that would suggest to do what we just did.

In fact, that last amendment should be already a practice.

Why is that even -- why is that even something we're voting on?

That should be something that is done to begin with.

I'm a Person of Color.

I experienced the double standard upon this body continuously.

Continuously.

Other members of this organization have also expressed the double standard that People of Color experience being a part of this organization.

I'm looking at a screen of a bunch of white, privileged people, claiming to take a stand whenever there is a virtuous signaling resolution to be passed.

They will never pass on the opportunity to be a cosponsor.

One of my colleagues has turned off her camera.

So all I can say is that the community is listening.

They are watching.

The investigation will be done.

FOIA will uncover the complaint.

There's a pattern.

There's been a long systemic pattern within this organization to have double standards to protect their own and that's what we are witnessing here tonight.

No one is suggesting there's any wrongdoing.

We are will suggesting that a fire wall be put in place so a proper investigation can be done with integrity.

So those that review that investigation later can take it and believe it.

But what we have done here today is completely tarnish.

That putting -- there's such an unequal balance of power here, but we are suggesting that it will be okay.

The person who complaints and didn't get any help from the attorney's office, you

know what, we will end you back to the same office that didn't help you the first time.

That's what we are going to do.

It's just disappointing.

It really has a long way to go to earn the trust and the faith not just this community but this organization as a whole.

>> Mayor Taylor: Councilmember.

Councilmember Hayner.

>> Councilmember Hayner: My councilman colleague, Councilmember Ramlawi speaks from the heart.

I cosponsored this resolution because it seems necessary and now we have a watered down version of it.

I will support the watered down version because if I wouldn't, then political ladder climbers would have their folks spin this no vote as me not taking action or not caring about this legitimate, as far as I'm concerned, complaint.

So I will support this to cement the fact that there will be an outside council hired, and that there will be some sort of effort put in place to protect people in city hall, who come forward with complaints, serious complaints on a wide variety of issue.

I do it with a heavy heart because as councilperson Ramlawi said, it really speaks to our failing to act repeatedly -- repeatedly.

We just -- we just don't seem to exercise the oversight and leadership and stringent encouragement that we need to have the kind of organization that we deserve and frankly that the Ann Arbor taxpayers pay for.

\$500 million budget is what we have at city hall, it's shocking and I'm happy that someone asked me to help sponsor this, because to get it on the agenda because it's important to do this.

It's important to find out what's going on and we got to -- we got to figure out what is going on here at city hall.

I suspect that there is not -- the voice of people is not heard here at city hall, in many, many instances.

And that's a shame.

I think we kind of know that by now, and I would like to help change that.

So that folks who come forward know that at least we are doing something and -- but, you know, I'm sorry that it's a watered down version.

That's something that I don't think it's the best solution.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: The question or the comment was made that it was incredible that these processes were not already in place.

They are.

They are in place.

This resolution wasn't even necessary as it's about to be voted on.

You know, it -- the -- the independent investigation had already been initiated and recesses were already put in place to ensure the integrity of that investigation and to protect the complainant and we are voting on this proforma tonight to send a message which I think is really valid and valuable, that we take this seriously,

and that we affirm that these measures are being taken and that they are being taken with hopefully the full support of council.

But, you know, let's not for a second try to mislead the public into thinking that these things weren't already in motion.

They were.

I don't know why a councilmember would want to do that.

I mean, it's our job to -- to, you know work in the best interests of the city, and we have councilmembers here who are trying to make this a political football and it's -- it's -- it's shameful.

Stop doing it.

Stop politicizing our city's staff.

Stop talking about things you have been told not to talk about, and take your job seriously, please!

You know, it -- it's just so disappointing.

We have a great organization and our folks do not deserve to be talked about the way that they are being talked about at this table on a weekly basis.

We owe them so much more and I really -- I appreciate the work of our city attorneys on this matter and on Tom other matters that they are helpful with, and I look forward to seeing the results of the investigation, but until then, we need to reserve judgment, let the process play out, and be respectful of all of our staff.

>> Mayor Taylor: Councilmember Nelson.

>> Councilmember Nelson: I can be brief.

I don't know that I could be quite so dismissive of complainant in this case as to directly contradict their pleas to us.

This resolution was the direct result of a very explicit, specific complaint from the complainant.

So to say that it wasn't even necessary is interesting to me.

And to throw around words like "respectful to staff" that really sounds very interesting to me in terms of protecting people who -- I'm just -- it's interesting.

I'm concerned.

I'm concerns that we have spoken very broadly and intentionally, very vaguely about this situation.

And we can't even do that.

We can't even describe people as victims.

We can't even talk about an imbalance of power.

We have can't talk about the fact that this was requested of us, and that's going to be framed as something political?

That's a little desperate.

Thanks.

>> Mayor Taylor: Councilmember Griswold.

>> Councilmember Griswold: I just want to set the record straight and my apologies for being totally exhausted as I'm sure we all are.

We were told that action was initiated, possibly Friday that all is well, however we received a communication from the complainant today at 3:56.

I'm not going to go into details as I have been asked not to.

But if everything is going well, since last week, why did we get a communication at 3:56?

So I believe that council has a responsibility to the community, to our employees and for that reason, I will not be voting for this resolution.

Thank you.

>> City Atty. Postema: Excuse me, councilmember, the reason you got the written communication is that in discussion with Mr. Guajardo, that was part of our discussion that he would -- I certainly encouraged him that he would provide specifics so that the -- the issues that are being addressed tonight and in this resolution and in whatever requests he had, could be brought forward to you. That's why.

And that is because what you said on Friday in the afternoon was not specific and, in fact, it -- it was not -- there's no blame to him asserting a more general one because it was discussed that -- that this would, provided.

I think even last week, I believe Mr. Guajardo set a time to speak with me at 4:00 and that he was going to get written communication before then.

And so that's the reason, Councilmember Griswold that it came at 4:00 and -- and I -- I by all means encourage him to provide that, to provide detail so that you all could look at it, and so we could decide what -- you know, what needed to be done to be said to the outside council.

What needed to be done to be sent to the outside council so the process could move as quickly as possible.

>> Councilmember Griswold: I'm in agreement with what you are saying, my reference is a plea to help that was included in the cover message.

>> City Atty. Postema: Well, the point is that was going to come and it did come. So --

>> Councilmember Griswold: Thank you.

>> Mayor Taylor: Councilmember Briggs.

>> Councilmember Briggs: We have the -- we have the power in a variety of ways.

We have chosen -- some have chosen to -- to bring this -- bring a resolution to the council table.

That was certainly within our power to do so.

We have utilized other processes in the past.

And not too far in the past.

They are all in recent memory for us to understand how we have been able to initiate and make sure that there were fair investigations happening.

And some chose not to do that today.

There is an imbalance of power.

There are those of us at the table around this screen right now that have more power than others.

And it is disappointing to see that being used in ways for political gain and for political show.

That's all I will say.

>> Mayor Taylor: Councilmember Song.

>> Councilmember Song: I just want to emphasize my enthusiasm for this investigation to actually begin again.

I feel like I need to see the carpenter's song "we've only just begun."

And I also want to underline how just -- just really recently we have had -- you expressed a lot of enthusiasm behind the D.E.I. initiatives and plans.

Those are commitments we made in the budget.

That is something that we made culturally and community member.

As the other Person of Color on council, I can tell you that this has been -- that was something I-Cam pained on strongly is bringing an understanding around race relations.

For this issue to come again on -- with our personnel is disappointing, but that doesn't mean it can't be resolved.

So what end, we don't know yet.

Another thing I wanted to point out, I'm looking at attorney Radabaugh's LinkedIn profile.

If we are to talk about the resources at hand to tackle these issues, I would hope that we can look at how attorney Radabaugh, she was general counsel for D.C.'s department of resources managed 1800 district employees and trained attorneys on antidiscrimination laws, employment laws, and deputy general council, assist general council, the U.S. Department of Justice, law clerk under senator Dianne Feinstein.

I would think that those are considerably qualifications that can be trusted and have already been vetted before she came to our amazing city.

So I hope we can force ourselves to come to a more positive outcome, once we actually have the materials to review like we have with other investigations.

Until then, I hope we can lean on our staff, trust our staff, because we do every day, unless -- unless we are told otherwise.

Thanks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: For those who want to paint this as a political ploy, I'm highly disappointed and disgusted in their characterization.

We are a Person of Color, credible Person of Color, who is in a senior position within our organization, pleads with us to take action.

Not on one occasion, but twice.

And both times after they exhausted discussions with the attorney's office.

What I am doing is my job.

This is not just some symbolic resolution to score points with people this is actually taking action and being a leader.

That's what that is.

Not passing some worthless resolution that has no meaning.

So please, do not characterize this as some political ploy.

Stop while you are ahead.

>> Mayor Taylor: Councilmember Eyer.

>> Councilmember Eyer: Just a brief correction of my statement.

I was referring to the comments by councilmembers here as politicizing the issue,

not the issue itself.

>> Mayor Taylor: Mr. Postema.

>> City Atty. Postema: The own thing I would like to really emphasize is that the whole movement on this, as to the issue in the resolve clause, when you say that the city attorney can't resolve something, that's exactly right.

The city attorney under the charter does not control the city administrator and so the issue of leave, I cannot unilaterally impose on the city administrator.

That is for you to do.

And so that's the only clarification I would have only that the extent that there were unresolved issues.

That issue can only be resolved here and not by me.

So that's important because all of this is very important to the city attorney's office or you wouldn't have four of us on this call at this time of night, including many who have worked very closely with Mr. Guajardo and have spoken with him, a variety of people.

So we will move forward on this.

We will move to the outside council to get that, and to have input on that, as you have directed, and that is what I have always told you would happen, and it is happening.

>> Mayor Taylor: Councilmember Radina.

>> Councilmember Radina: I think at times throughout this discussion and perhaps for most of it, kind of gone into other realms with this.

I want to kind of recenter this, the fact that this is an employee complaint in our city, and one that I think, you know, as we have demonstrated in the past, take seriously and want to make sure that our staff is important and that our organization continues to function and benefit our community as a whole.

You know, I'm also reading the same email that we received and while I won't get into details, you know, it does not require a specific action -- outcome.

It requires a relief, and it doesn't -- and there are multiple ways to do that.

There are two courses, the first that was presented tonight would have been inconsistent with the norms of this body and this organization and the two most recent examples we have of investigations into a city administrator, that members of this body participated in, the majority of this body has enacted both of those.

Even so this is consistent with practice and I truly believe demonstrates the seriousness with which we are taking this investigation while also ensuring a fair investigation and one that protects our staff.

So I just want to kind of recenter this conversation and hopefully we can vote and move on.

I know it's been a late evening.

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

Again, I will say briefly, we have received a workplace complaint.

We are treating this complaint seriously, with professionalism and expertise.

We are doing so in a manner that is consistent with past practice and best practice and consistent with the -- with the protection of the complainant,

consistent with the performance of unhindered investigation and consistent with the manner with having the municipal organization to continue to month of forward to effect its mission and improve basic services and improve the quality of life.

We, you know, wake up everyday and I'm grateful for it and I would also too like to, you know, echo my thanks to the attorney's office for a great deal of work on this matter over the course of the past and I'm sure over the next few.

It is -- we ask -- we ask a lot of you and of staff generally and you deliver.

Thank you.

Further discussion of the main motion?

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Negative.

>> Councilmember Hayner: Yes.

>> Councilmember Disch: Yes.

>> Councilmember Griswold: Yes.

>> Councilmember Song: Yes.

>> Councilmember Grand: Yes.

>> Councilmember Radina: Yes.

>> Mayor Taylor: Yes.

>> Councilmember Eyer: Yes.

Motion carries.

>> Mayor Taylor: Do we have a closed session today, Mr. Postema?

>> City Atty. Postema: We do, and Mr. Wilhelm has sent a link for that.

And, again, I will have him recite the O.M.A. section on the matter, because it's his -- it's his issue tonight.

>> City Atty. Postema: Motion please to go into closed session for the purpose of --

>> Discuss the potential acquisition of property pursuant to MCL-15-268 (D) as in David.

>> Mayor Taylor: Thank you moved by Councilmember Griswold, and seconded by Councilmember Disch.

Discussion?

Roll call vote, please, starting with Councilmember Nelson.

>> Councilmember Nelson: Yes.

>> Councilmember Briggs: Yes.

>> Councilmember Ramlawi: Yes.

>> Councilmember Hayner: Sure.

Why not.

>> 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: Speakers will have three minutes in which to speak.

So please pay close attention to the time.

As a matter of courtesy -- well, that's my in person speech.

Our clerk, you will have three minutes in which to speak.

Please conclude your remarks and cede the floor.

If there's anyone who would like to speak at public comment, please let us know by entering star nine now.

Star nine now.

>> Clerk Beaudry: We have three callers on line, but I don't see their hands are raised.

Seeing no one having entered star nine, I will conclude there's no public comment.

>> Mayor Taylor: There is one public comment.

>> Clerk Beaudry: Phone number ending in 556.

You can press star six to unmute yourself.

>> Hi, this is Ralph McKee, fifth ward.

It's late.

You are all tired.

So am I.

But I'm really struggling to understand what just happened.

If I heard right, which I may not have, but if I did hear right, there's some question by the complainant here about not trusting the city attorney's office.

And I understand you will have an independent investigation, but that investigation is being -- going to be managed at least, if I heard right, by the city attorney's office.

That is -- seems to me be very strange.

The same thing goes for having a person left in place.

You talk about an integrity of investigation, but I really don't see how that will happen here.

Remember, this is from the complainant's perspective, not from yours, not from the city attorney's office.

The -- Ms. Radabaugh, may have great credentials but if I heard right, the complainant doesn't trust them.

That's really important here.

You are telling all the complainants in the city that these things will be run through the office of the person that they do not trust.

And how you can particularly Ms. Eyer who has gaslit people who came to her in her own office, and told them to go talk to the boss, who was the harasser, how you can -- how you can say that what's being done here is appropriate.

And, again, I'm not throwing tones at the city attorney's office.

They may have done everything properly here, and may continue to do so but when you have a complainant that doesn't trust them and says that and you continue to leave them in charge, you need to be in charge.

The same way that you needed to be in charge with the Gelman matter and failed to do that and let the attorneys run the show.

You need to step up and run the show yourself.

Pa in this instance and again, I'm not casting any aspersions about the county attorney's office.

If I heard right, it should not be do on this way.

>> Clerk Beaudry: 30 seconds.

>> And there's a number of other items that need to be said, but they are not going to fit in 30 seconds.

So that's it for tonight.

Thank you.

>> Mayor Taylor: Thank you.

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

Seeing no one, public comment is closed.

Are there communications today from council?

Councilmember Griswold.

>> Councilmember Griswold: A number of elected officials sent a letter to the Safehouse board and I'm wondering if it would be appropriate to have staff provide an update on any communications from the Safehouse board, not tonight, but in the future regarding improvement plans.

And/or accomplishments.

And to end on a happy note, I was at the center of the city yesterday, and there were a number of families with children who did some chalk art and Councilmember Briggs was there and witnessed some of this.

People who just happened by.

They stopped and they were engaged in this chalk art project, and also the entertainment was excellent.

A number of people stopped just to listen to -- especially the last thing.

There were some international students who walked by and they -- a group of probably six or eight.

They just stopped and listened to the music for a while and then continue on.

So I -- I really enjoyed seeing that type of activity and I look forward to it in the future.

Thank you.

>> Mayor Taylor: Further communications from council?

Councilmember Song?

>> Councilmember Song: Two things.

One, I want to congratulate library director Josie Parker and the announcement of her retirement and wish the board of trustees the best of luck in finding a replacement for one of the best libraries in the country, Josie Parker is -- is incredible.

The other is that for folks who like to go out and about and explore downtown, as

well as our historical neighborhoods, the library has posted a walking tour of Ann Arbor's black neighborhoods, and it includes stories and memories of those who live here and that's in cooperation with the African American cultural and historical for Washtenaw County.

There's a PDF to download and it falls somewhere that started a couple of years back and I'm really excited to see that being easily accessible for folks.

>> Mayor Taylor: Councilmember Ramlawi.

>> Councilmember Ramlawi: I will make this short.

There's at least one colleague who thinks that what I have to say isn't worth saying.

I just wanted to commend Tom Guajardo for the bravery and the courage to speak up and bring his concerns to council.

I also want to apologize to him that we failed as leader tonight in delivering the safeguards and bringing you and others in the organization the protections that you and others deserve.

But I am confident that in the end, you and others will be heard an investigation will be conducted and the truth of all of this will come out.

I'm not casting any aspersions but I know what was done tonight was not right.

And I will continue to stand and fight for what is and I'm not going anywhere.

So thank you.

>> Mayor Taylor: Further communications from council?

May I have a motion to adjourn, please?

Moved by Councilmember Griswold, seconded by Radina.

Discussion?

All in favor?

Opposed?

We are adjourned.