

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Meeting Minutes - Final

Monday, January 23, 2023

7:00 PM

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Larcom City Hall, 301 E Huron St, Second floor, City Council Chambers

City Council

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

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

APPROVAL OF AGENDA

A motion was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Milton Dohoney Jr. presented the following written reports for information of Council.

AC-1 [23-0106](#) Agenda Response Memo and eComments - January 23, 2023

Received and Filed

AC-2 [23-0121](#) City Administrator's Report - January 23, 2023

Received and Filed

AC-3 [23-0122](#) Memorandum in Response to R-22-347 - Resolution Regarding Consistency of Corporate Expression of Values and Corporate Action

Received and Filed**INT INTRODUCTIONS**

None.

PUBLIC COMMENTARY (3 MINUTES PER SPEAKER, 45 MINUTES TOTAL)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

1. **Michelle Hughes - Construction Contract for the East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-1) (phone)**
Michelle Hughes, resident, spoke about CA-1, the contract for the East Medical Center Drive bridge project. She urged Council to pass the proposed substitute.

2. **Ralph McKee - Construction Contract for the East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-1); Construction Contract for the South Main Street Water Main Replacement and Resurfacing Project (CA-3) (phone)**
Ralph McKee, resident, urged Council to postpone action on CA-1.

3. **Tom Stulberg - Ordinance Establishing the Robert and Erma Hayden House Historic District (C-1) (phone)**
Tom Stulberg, resident, spoke in support of C-1, the proposed Hayden House Historic District.

4. **Peter Letzmann - Recognizing Councilmember Briggs (in person)**
Peter Letzmann, of Scenic Michigan, presented Councilmember Erica Briggs with the Michigan Scenic Hero award.

5. **Jai Lewis - Proposal for Community Outreach (in person)**
Jai Lewis, resident of Lansing, Michigan, spoke about community activism and urged Council to support new efforts.

6. **Mozhgan Savabieasfahani - We Are Against Military Aid to Israel (in person)**

Mozhgan Savabieasfahani, resident, spoke against military aid to Israel.

7. Blaine Coleman - We Are Against Military Aid to Israel (in person)

Blaine Coleman, resident, spoke against military aid to Israel.

8. Larry Deck - Construction Contract for the East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-1) (in person)

Larry Deck, resident, spoke about CA-1 and the need for the East Medical Center Bridge widening project to include improved pedestrian and bike paths.

9. Luis Vazquez - Construction Contract for the East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-1); Professional Services Agreement for the East Medical Center Drive Bridge Rehabilitation and Widening Project (CA-2); First Amendment to 841 Broadway Development (CA-9); Library Lot (in person)

Luis Vazquez, resident, spoke about several items on the agenda, including the widening project of the East Medical Center Drive Bridge, as well as proposals regarding the Library Lot.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIGGS

Councilmember Briggs thanked Peter Letzmann for the presentation of the Scenic Hero award.

COUNCILMEMBER EYER

Councilmember Eyer addressed comments that she walked away from public comment. She spoke about a handout that regular public speakers provided this evening, stating it was racist.

COUNCILMEMBER GHAZI EDWIN

Councilmember Ghazi Edwin spoke about Item E-2 on the agenda. She stated she will be bringing this ordinance to Council at the next meeting.

COUNCILMEMBER RADINA

Councilmember Radina also commented on the racist material provided by several public speakers. He thanked Councilmember Eyer for her comments.

COUNCILMEMBER DISCH

Councilmember Disch spoke about the public forums that have been held regarding unarmed police response. She stated she is looking forward to the results.

COUNCILMEMBER CORNELL

Councilmember Cornell spoke about an upcoming citizens climate action meeting, taking place both in person and on Zoom. She said more details can be found on the OSI website.

Councilmember Cornell also provided an update on the DDA's work.

COUNCILMEMBER SONG

Councilmember Song spoke about the mass shooting in Monterey Park, California. She stated Monterey Park was one of the first Asian-American enclaves in the U.S. Councilmember Song stated many members of Ann Arbor's community have reached out to her regarding the recent events.

Councilmember Song stated Sweetwater's on Plymouth Road will be hosting a lunar new year celebration.

COUNCILMEMBER WATSON

Councilmember Watson spoke about Asian American and African American solidarity. He also spoke about his recent tour of Delonis Center with other members of Council.

MC COMMUNICATIONS FROM THE MAYOR

None.

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-1 Resolution to Approve a Construction Contract with C.A. Hull for the East Medical Center Drive Bridge Rehabilitation and Widening Project (\$9,657,770.26)

CA-3 Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the South Main Street Water Main Replacement and Resurfacing Project (\$5,742,710.73) and to Appropriate \$2,811,000.00 from the Street, Bridge, Sidewalk Millage Fund, \$436,000.00 from the Stormwater Fund, \$46,000.00 from the Sewage Disposal Fund, \$44,000.00 in AAHC Funding, and \$119,000.00 of Funding from the Downtown Development Authority (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Radina, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement of CA-6 and CA-7.

- CA-2** [22-1934](#) **Enactment No: R-23-018**
 Resolution to Approve a Professional Services Agreement with Fishbeck for Project Management and Construction Engineering Services for the East Medical Center Drive Bridge Rehabilitation and Widening Project (\$925,367.00) (RFP 22-77)
- CA-4** [22-2130](#) **Enactment No: R-23-019** **Approved**
 Resolution to Approve Contract Amendment Number 1 with WeCare Denali LLC for Operation and Management of the City's Compost Facility for a 3-year Contract Extension, with an Option for Two 3-year Renewals (Estimated Cost \$953,337.61 for the Initial 3-year Contract Term: \$297,795.24 for Year 1, \$317,486.86 for Year 2, and \$338,055.50 for Year 3)
- CA-5** [22-1927](#) **Enactment No: R-23-020** **Approved**
 Resolution to Approve a Professional Services Agreement with Henry Ford Health System d/b/a Henry Ford Health for On-Site Occupational Medical Surveillance Services (\$90,000.00)
- CA-6** [22-2121](#) **Enactment No: R-23-021** **Approved**
 Resolution to Approve a Purchase Order to The Ultimate Kronos Group (UKG), Inc for a Learning and Development Management Module within the UKG HRIS System FY2023 - FY2025 (\$110,462.00) (**8 Votes Required**)

CA-7 [23-0003](#) **Enactment No: R-23-022** **Approved**
 Resolution to Accept a Grant of Easement for Watermain from Sartorius Bioanalytical Instruments, Inc. at 3874 Research Park Drive **(8 Votes Required)**

CA-8 [23-0043](#) **Enactment No: R-23-023** **Approved**
 Resolution to Approve Deficit Elimination Plan as of June 30, 2022 for the Major Grants Fund (00MG)

CA-9 [22-1988](#) **Enactment No: R-23-024** **Approved**
 Resolution to Approve First Amendment to 841 Broadway Development Agreement

CA-10 [22-2131](#) **Enactment No: R-23-025** **Approved**
 Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run/Walk - Sunday, March 12, 2023

CA-1 [22-1932](#) Resolution to Approve a Construction Contract with C.A. Hull for the East Medical Center Drive Bridge Rehabilitation and Widening Project (\$9,657,770.26)

A motion was made by Councilmember Akmon, seconded by Councilmember Radina, that the Resolution be approved.

[22-1932](#) Resolution to Commence a Collaborative Planning Process between the University of Michigan and the City of Ann Arbor for the Rehabilitation, Widening, and Non-motorized Transportation Enhancement of the East Medical Center Bridge

Councilmember Akmon moved, seconded by Councilmember Radina, that Council consider the proposed substitute resolution. The motion to consider the substitute was considered friendly by the Body.

Amended

Councilmember Ghazi Edwin moved the following amendment, supported by Councilmember Radina:

Add the following Whereas Clause:

Whereas, the City of Ann Arbor seeks to prioritize the safety and accessibility of non-motorized users as expressed in our Vision Zero-based Comprehensive Transportation Plan

The motion was considered friendly by the Body.

Amended

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

Amend 2nd RESOLVED Clause:

RESOLVED, That the City Council supports the widening of the East Medical Center Drive Bridge to accommodate A SAFE, BARRIER-PROTECTED PATH FOR non-motorized users on both the east and west sides with a width of at least 13' on the east and at least [10] 10.5' on the west side that are consistent with federal and state guidance.

ALL CAPS indicate new language. [Brackets] indicate deleted language.

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

Yeas: 10 - Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Ghazi Edwin, Councilmember Watson, Councilmember Akmon and Councilmember Cornell

Nays: 1 - Mayor Taylor

A motion was made by Councilmember Akmon, seconded by Councilmember Eyer, that the following amendment be approved:

Add New RESOLVED Clause:

RESOLVED, That designs for pedestrian and cycling crossing points will be consistent with practices that improve safety for these users

The amendment was considered friendly by the Body.

Amended

A motion was made by Councilmember Akmon, seconded by Councilmember Cornell, that the following amendment be approved:

Add New RESOLVED Clause:

RESOLVED, City Council directs the City Administrator to continue working with the Michigan Department of Transportation to acquire the necessary easement to build an east-west pathway connection under the East Medical Center Drive Bridge.

The motion was considered friendly by the Body.

Amended

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the Resolution be postponed until 2/6/2023. On a voice vote, the Mayor declared the motion carried.

CA-3 [22-2119](#) **Enactment No: R-23-026 **Approved****

Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the South Main Street Water Main Replacement and Resurfacing Project (\$5,742,710.73) and to Appropriate \$2,811,000.00 from the Street, Bridge, Sidewalk Millage Fund, \$436,000.00 from the Stormwater Fund, \$46,000.00 from the Sewage Disposal Fund, \$44,000.00 in AAHC Funding, and \$119,000.00 of Funding from the Downtown Development Authority **(8 Votes Required)**

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [23-0002](#) Regular Session Meeting Minutes of January 9, 2023

A motion was made by Councilmember Radina, seconded by Councilmember Watson, that the Regular Session Meeting Minutes of January 9, 2023 be approved as presented. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C New Business - Staff:

C-1 [22-2094](#) **Enactment No: ORD-23-03** **Approved on First Reading**

An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor by Adding Section 8:425.15 Establishing the Robert and Erma Hayden House Historic District, 1201 Gardner Avenue (Robert and Erma Hayden House Study Committee Recommendation: Approval - 3 Yeas and 0 Nays) (ORD-23-03)

A motion was made by Councilmember Disch, seconded by Councilmember Song, that the Ordinance be approved on First Reading and should be returned by 2/6/2023. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [23-0103](#) **Enactment No: R-23-027** **Approved**

Resolution to Authorize Settlement of *Rasiel Alvarez-Rodriguez v. City of Ann Arbor et al.*, Washtenaw County Circuit Court Case No. 21-001289-NI

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

DC-2 [23-0105](#) **Enactment No: R-23-028** **Approved**

Resolution Authorizing the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be Filed in the United States Supreme Court in Biden v Nebraska and Dep't of Education v Brown (U.S. Docket Nos. 22-506 and 22-535)

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

DB New Business - Boards and Commissions:

DS New Business - Staff:

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Cornell, seconded by

Councilmember Akmon, that Council enter into Closed Session to discuss pending litigation under MCL15.268(e), Attorney General et al. (plaintiffs) and City of Ann Arbor et. al (intervenors) v. Gelman Sciences, Michigan Court of Appeals Case Number 357599 and Washtenaw County Circuit Court Case Number 88-34734-CE.

On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed into Closed Session at 8:53 p.m.:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Song, seconded by Councilmember Harrison, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 9:31 p.m.

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

E The following communications were referred as indicated:

Passed on consent agenda

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

- E-1 [23-0093](#) Art Redmond - Resignation from the Renters Commission.**
- E-2 [23-0029](#) Human Rights Commission Resolution To Prohibit GOV Issued ID Discrimination**
- E-3 [23-0112](#) Communications from the State of Michigan Regarding the Receipt of Filing of the Annexation from Scio Township for the North Maple Apartments Annexation - 1855 N. Maple Rd., 1875 N. Maple Rd., 1921 Calvin St.**

F The following minutes were received for filing:

- F-1 [22-1240](#) Building Board of Appeals Meeting Minutes for June 21, 2021
- F-2 [22-1241](#) Building Board of Appeals Minutes for June 16, 2022
- F-3 [22-1827](#) Minutes of the September 28, 2022 ZBA Meeting
- F-4 [22-1990](#) HRC November 2022 Meeting Minutes
- F-5 [22-1991](#) CODI November 2022 Meeting Minutes
- F-6 [22-2118](#) Council Liquor License Review Committee Minutes of May 6, 2022
- F-7 [23-0009](#) November 9, 2022 Meeting Minutes
- F-8 [22-1984](#) October 13, 2022 Historic District Commission Meeting Minutes
- F-9 [22-1874](#) September 20, 2022 City Planning Commission Meeting Minutes
- F-10 [22-1876](#) October 18, 2022 City Planning Commission Meeting Minutes
- F-11 [22-1947](#) Environmental Commission Minutes 10/27/2022

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)

***THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

(Not necessary.)

ADJOURNMENT

A motion was made by Councilmember Disch, seconded by

Councilmember Ghazi Edwin, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:31 p.m.

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

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