

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Final

Tuesday, February 20, 2024

7:00 PM

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

Larcom City Hall, 301 E Huron St, Second floor, City Council
To sign up for public comment, call the City Clerk's Office
between 8am - 5pm at 734-794-6140 on the day of the meeting.

City Council

Public commentary can be made in person or by calling Zoom at:
877-853-5247 or 888-788-0099

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:01 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

Councilmember Song arrived at 7:05 p.m.

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 Radina, seconded by Councilmember Watson, 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** [24-0209](#) Agenda Response Memo and eComments - February 20, 2024
Received and Filed
- AC-2** [24-0206](#) Ann Arbor SPARK Semi-Annual Report - July 1, 2023 - December 31, 2023
Received and Filed
- AC-3** [24-0210](#) Ann Arbor Fire Department (AAFD) 2023 Annual Report
Received and Filed
- AC-4** [24-0211](#) Memorandum in Response to R-22-240 - 2023 Prevailing Wage Annual Report
Received and Filed
- AC-5** [24-0251](#) Trunkline Transfer Study - Response to Resolution R-22-391
Received and Filed
- AC-6** [24-0256](#) Staff Recommendations on Next Steps Related to Achieving 100% Renewable Energy by 2030
Received and Filed
- AC-7** [24-0255](#) City Administrator's Report - February 20, 2024
Received and Filed
- INT** **INTRODUCTIONS**
- INT-1** [24-0132](#) Ann Arbor Area Transportation Authority (AAATA) Update
AAATA CEO Matt Carpenter presented the monthly update from the Authority.
Received and Filed

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**

**TO PARTICIPATE ONLINE, CALL ZOOM AT: 877 853 5247 or 888 788 0099
ENTER MEETING ID 942 1273 2148**

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

- 1. Brian Donovan - Resolution to Approve the 333 E. William Street Development Agreement (CA-3) (in person)**
Brian Donovan, resident, spoke about the 333. E William Street Development Agreement (CA-3).

- 2. Adam Goodman - Resolution Regarding the Pauline-Runnymede Path (CA-6) (phone)**
Adam Goodman, resident, spoke in support of CA-6, regarding the Pauline-Runnymede path improvement project.

- 3. James Nichols - An Ordinance to Amend Sections 8:530 and 8:531 of Chapter 105 (Housing Code) (C-1) (in person)**
James Nichols, resident, spoke about amendments to the Housing Code, expressing concerns about unintended consequences resulting from the proposed changes.

- 4. Alvin Poon - Resolution to Approve the 333 E. William Street Development Agreement (CA-3) (in person)**
Alvin Poon, resident, spoke about the 333 E. William Street Development Agreement.

- 5. Adam Grant - Resolution in Support of Strengthening the City of Ann Arbor's Fair Chance Hiring Practices (DC-2) (in person)**
Adam Grant, of Ypsilanti, spoke in support of DC-2, regarding fair chance hiring practices.

- 6. **Arthur Thomas - Resolution in Support of Strengthening the City of Ann Arbor's Fair Chance Hiring Practices (DC-2) (in person)**

Arthur Thomas, of Ypsilanti Township, spoke in support of DC-2, regarding fair chance hiring practices.

- 7. **Tom Stulberg - Resolution to Approve the 333 E. William Street Development Agreement (CA-3); An Ordinance to Amend Sections 8:530 and 8:531 of Chapter 105 (Housing Code) (C-1) (phone)**

Tom Stulberg, resident, spoke about several agenda items, including the 333 E. William Street development agreement and proposed amendments to the City's housing code.

- 8. **Henry Herskovitz - Holocaust Education in AAPS (in person)**

Henry Herskovitz, resident, spoke about Holocaust education in the public schools.

- 9. **Alex Zittleman - General Housing Affordability (in person)**

Alex Zittleman, resident, spoke about affordable housing concerns in Ann Arbor.

- 10. **Ralph McKee - Economic Development Proposal (in person)**

Ralph McKee, resident, spoke about economic development.

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

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

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

Blaine Coleman, resident, spoke about the conflict in Gaza.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER CORNELL

Councilmember Cornell spoke about small and local businesses in the downtown.

COUNCILMEMBER BRIGGS

Councilmember Briggs announced her upcoming Coffee Hour with Councilmember Cornell.

She also addressed a comment by the public that Council wasn't listening, stating she does hear the community and Council considers public opinion.

COUNCILMEMBER AKMON

Councilmember Akmon spoke about transportation issues in the City.

COUNCILMEMBER HARRISON

Councilmember Harrison spoke about the City's bicentennial project with the Elks lodge and the historic segregation of the community.

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor provided an update on the implementation of early voting in the City, noting that Ann Arbor is currently leading the State of Michigan in early voting turnout.

MC-1 [24-0169](#) Appointment - Confirmation

Mayor Taylor requested confirmation of the following appointment that was presented to City Council for consideration at the February 5, 2024 Regular Session:

Board of Review

Curt Zell

Term Ending: January 31, 2027

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

MC-2 [24-0237](#) Appointments and Nominations for February 20, 2024

Mayor Taylor recommended the following nomination for approval at a later date:

Housing and Human Services Advisory Board

Robert Boley
Term Ending: May 31, 2027

Referred to the City Council due back on 3/4/2024

MC-3 [24-0239](#) Resolution to Appoint Sean Duval to the Economic Development Corporation Board as a Non-resident Elector **(7 Votes Required)**
Mayor Taylor recommended the following Resolution for approval at a later date:

Resolution to Appoint Sean Duval as a Non-resident Elector (7 Votes Required)

Referred to the City Council due back on 3/4/2024

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-3 Resolution to Approve the 333 E. William Street Development Agreement (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

CA-1 Resolution to Appropriate Funds and Approve a Golf Cart Lease with Golf Cars Plus (\$796,050.00) and Appropriate Funding for the Purchase of Two Groundsmaster Mowers for Parks and Recreation (\$48,921.00) (8 Votes Required)

CA-6 Resolution to Approve the Appropriation of \$140,000.00 from the General Fund Unobligated Fund Balance for the Design and Preparation of a Grant Application for the Pauline-Runnymede Path (8 Votes Required)

Passed on consent agenda

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

CA-2	<u>23-0710</u>	Enactment No:	R-24-048	Approved
		Resolution Approving a Contract with the Shelter Association of Washtenaw County for the 2023 - 2024 Winter Emergency Shelter and Warming Center (\$72,000.00)		
CA-4	<u>24-0034</u>	Enactment No:	R-24-049	Approved
		Resolution to Adopt the Ann Arbor Water Strategic Plan		
CA-5	<u>23-2116</u>	Enactment No:	R-24-050	Approved
		Resolution to Approve a Professional Services Agreement with OHM Advisors for Engineering Services for the Water Distribution Plan and Model Update (\$604,797.00)		
CA-7	<u>24-0078</u>	Enactment No:	R-24-051	Approved
		Resolution to Approve Professional Services Agreements with DLZ Michigan, Inc. for \$380,000.00; Intertek - Professional Service Industries, Inc. for \$620,000.00; Materials Testing Consultants, Inc. for \$830,000.00; and G2 Consulting Group, LLC for \$300,000.00 for Construction Materials Testing Services		
CA-8	<u>24-0101</u>	Enactment No:	R-24-052	Approved
		Resolution to Approve a Cost Allocation Agreement with the Regents of the University of Michigan for the East Medical Center Drive Bridge Rehabilitation and Widening Project		
CA-9	<u>24-0148</u>	Enactment No:	R-24-053	Approved
		Resolution to Approve a Professional Services Agreement with Bodman, PLC for Legal Services to Support the City's Participation in the 3M Company and DuPont PFAS Class Settlements and Appropriate Funds (\$150,000.00)		
CA-10	<u>24-0137</u>	Enactment No:	R-24-054	Approved
		Resolution to Approve the Updated Stipulation and Settlement Agreement in Michigan Public Service Commission Case No. U-21376 Regarding DTE's Distributed Generation Tariff Options		
CA-3	<u>24-0077</u>	Enactment No:	R-24-055	

A motion was made by Councilmember Briggs, seconded by Councilmember Cornell, that the Resolution be approved.

Resolution to Approve the 333 E. William Street Development Agreement (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

24-0077 Enactment No: R-24-055 Amended

Amended

Resolution to Approve the 333 E. William Street Development Agreement (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

The following amendment was offered by Councilmember Briggs, seconded by Councilmember Akmon:

Add the following to the Development Agreement:

THE DEVELOPER HEREBY AGREES:

All reasonable attempts will be made to avoid closure of the William Street Bikeway during construction.

The amendment was considered friendly by the Body.

24-0077 Enactment No: R-24-055 Approved as Amended

The question being, the motion that was made by Councilmember Briggs, seconded by Councilmember Cornell, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

Resolution to Approve the 333 E. William Street Development Agreement (CPC Recommendation: Approval - 6 Yeas and 0 Nays)

CA-1 24-0109 Enactment No: R-24-074 Approved

A motion was made by Councilmember Cornell, seconded by Councilmember Akmon, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, without the eight votes needed for approval:

Yeas: 7 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Harrison, Councilmember Ghazi Edwin and Councilmember Watson

Nays: 4 - Councilmember Eyer, Councilmember Radina, Councilmember Akmon and Councilmember Cornell

Resolution to Appropriate Funds and Approve a Golf Cart Lease with Golf Cars Plus (\$796,050.00) and Appropriate Funding for the Purchase of Two Groundsmaster Mowers for Parks and Recreation (\$48,921.00) (**8 Votes Required**)

CA-6 [24-0093](#) **Enactment No: R-24-056** **Approved**

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

Resolution to Approve the Appropriation of \$140,000.00 from the General Fund Unobligated Fund Balance for the Design and Preparation of a Grant Application for the Pauline-Runnymede Path (**8 Votes Required**)

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.

PH-1 [23-1981](#) An Ordinance to Amend Sections 5.20.3, 5.20.4 and 5.20.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Conflicting Land Use Buffer) - CPC Recommendation: Approval (6 yes, 0 no) (ORD-24-02)

A public hearing was conducted on the proposed amendment to Sections 5.20.3, 5.20.4 and 5.20.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Conflicting Land Use Buffer) - CPC Recommendation: Approval (6 yes, 0 no) (ORD-24-02). Notice of public hearing was published February 1, 2024.

There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 [24-0179](#) Regular Session Meeting Minutes of February 5, 2024

A motion was made by Councilmember Watson, seconded by

Councilmember Radina, that the Regular Session Meeting Minutes of February 5, 2024 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [23-1981](#) An Ordinance to Amend Sections 5.20.3, 5.20.4 and 5.20.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Conflicting Land Use Buffer) - CPC Recommendation: Approval (6 yes, 0 no) (ORD-24-02)

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

C ORDINANCES - FIRST READING

C-1 [24-0212](#) An Ordinance to Amend Sections 8:530 and 8:531 of Chapter 105 (Housing Code) of Title VII (Building Regulations) of the Code of the City of Ann Arbor (ORD-24-03)

A motion was made by Councilmember Radina, seconded by Councilmember Harrison, that the Ordinance be approved on First Reading and should be returned by 3/4/2024. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-24-03

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [24-0204](#) Enactment No: **R-24-057** **Approved**

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.

Resolution to Approve a Legal Services Agreement with Rosati, Schultz, Joppich & Amtsbeuchler, PC Relative to City Projects Requiring the Acquisition of Easements or Other Property Interests (\$150,000.00)

DC-2 [24-0226](#) Enactment No: R-24-058 Approved

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

Resolution in Support of Strengthening the City of Ann Arbor’s Fair Chance Hiring Practices

DB New Business - Boards and Commissions:

DS New Business - Staff:

DS-1 [24-0173](#) Enactment No: R-24-059 Approved

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

Resolution Authorizing Summary Publication of Ordinance 24-02 - An Ordinance to Amend Sections 5.20.3, 5.20.4 and 5.20.6 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Conflicting Land Use Buffer)

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

None.

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 Cornell, seconded by Councilmember Akmon, 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 [24-0177](#) Derek Mehraban- Resignation from the Independent Community Police Oversight Commission

- E-2 [24-0201](#) RISK FUND CLAIMS REPORT - DECEMBER 2023

- E-3 [24-0222](#) Sally Petersen- Resignation from the Economic Development Corporation Board

- E-4 [24-0205](#) Darren McKinnon- Resignation from the Downtown Development Authority

F The following minutes were received for filing:

- F-1 [23-1984](#) April 12, 2023 Design Review Board Meeting Minutes

- F-2 [23-2099](#) November 21, 2023 PAC Meeting Minutes

- F-3 [23-2120](#) Environmental Commission Meeting Minutes 11.30.23

- F-4 [24-0020](#) December 19, 2023 City Planning Commission Meeting Minutes

- F-5 [24-0106](#) Council Liquor License Review Committee Meeting Minutes of January 5, 2024

- F-6 [24-0157](#) City Election Commission Meeting Minutes of January 22, 2024

- F-7 [24-0084](#) Human Rights Commission Minutes - January 10, 2024

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 Watson, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 8:46 p.m.

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

LIVE: TUESDAY, FEBRUARY 20, 2024 @ 7:00 P.M.

REPLAY: FRIDAY, FEBRUARY 23, 2024 @ 8:00 P.M.

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

Requests made with less than two business days' notice may not be able to be accommodated.

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