

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes - Final

Monday, October 18, 2021

7:00 PM

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

Electronic Meeting

To speak at public comment call: 877 853 5247 or 888 788 0099

City Council

Enter Meeting ID 542-1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the electronic meeting of the Ann Arbor City Council to order at 7:00 p.m. in accordance with State and local health orders.

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

All participating remotely from the City of Ann Arbor, Washtenaw County, Michigan.

Present: 11 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Ali Ramlawi, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Assistant City Administrator John Fournier thanked Council for the opportunity to serve as interim City Administrator. He stated staff welcomed Mr. Milton Dohoney on his first day today as the new Interim City Administrator.

Mr. Fournier presented the following written reports for the information of Council:

AC-1 [21-1820](#) Memo Regarding Resolution to Approve a Professional Services

Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$1,011,319.29) (RFP 21-20) (Legistar File 21-1442)

Received and Filed

AC-2 [21-1840](#) Memorandum from City Administrator - Response to Resolution R-18-291 FY22Q1 Equity and Inclusion Report - October 18, 2021

Received and Filed

AC-3 [21-1837](#) Agenda Response Memo and eComments - October 18, 2021

Received and Filed

AC-4 [21-1861](#) City Administrator's Report - October 18, 2021

Received and Filed

INT INTRODUCTIONS

INT-1 [21-1822](#) Co-Op Month 2021 proclamation

Mayor Taylor read a proclamation recognizing October as Co-Op month. A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (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. Erich Zechar - Resolution to Approve a Professional Services Agreement for the E. Medical Center Drive Bridge Rehabilitation (DC-1)

Erich Zechar, resident, spoke in opposition to DC-1, the expansion of the Medical Center Drive bridge, as written. Mr. Zechar stated more attention

needs to be given to pedestrian safety.

2. Michelle Hughes - Resolution to Approve a Professional Service Agreement for the E. Medical Center Drive Bridge Rehabilitation (DC-1)

Michelle Hughes, resident, spoke about DC-1 and the widening of the Medical Center Bridge.

3. Carrie Rheingans - Resolution to Support COVID Vaccination Among Ann Arbor City Council (DC-3)

Carrie Rheingans, resident, spoke in support of mask and vaccine mandates, especially for public sector employees and officials.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SONG

Councilmember Song spoke about the end of the downtown street closures for the season. She noted that many restaurants stated this helped increase their sales during the pandemic.

COUNCILMEMBER DISCH

Councilmember Disch provided an update on the Barton Drive construction project.

COUNCILMEMBER GRISWOLD

Councilmember Griswold thanked the public speakers for their comments. She also spoke about the balance in power relating to decision-making.

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about the upcoming City special election, noting there are four Charter amendment proposals on the ballot.

COUNCILMEMBER BRIGGS

Councilmember Briggs highlighted the many years of experience and expertise of the City's engineering staff.

COUNCILMEMBER EYER

Councilmember Eyer stated she is happy to address any questions that voters might have about the City's ballot proposals.

COUNCILMEMBER GRAND

Councilmember Grand congratulated the staff of OSI for their recent report regarding sustainable energy options.

COUNCILMEMBER NELSON

Councilmember Nelson stated her resident newsletter includes information for residents about the ballot.

Councilmember Nelson recognized the passing of Jean King, an attorney from Ann Arbor who played a role in the feminist movement.

COUNCILMEMBER RAMLAWI

Councilmember Ramlawi expressed concern about the historic low voter turnout in odd-year elections.

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-3 Resolution to Authorize a Professional Service Agreement with Sam Schwartz Consultants, LLC., for the Moving Together Towards

Vision Zero Action Plan and Associated Engineering Services (RFP 21-25) (\$362,739.30) (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Briggs, seconded by Councilmember Grand, 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 requirements of CA-1, CA-4, CA-8 and CA-11.

CA-1 21-1592 Enactment No: R-21-383 Approved

Resolution to Award a Construction Contract to Hoffman Brothers, Inc. in the amount of \$339,886.46 (ITB 4689) for the Schoolgirls Glen Culvert Replacement Project and to Appropriate \$200,000.00 from the Stormwater Sewer System Fund Balance **(8 Votes Required)**

CA-2 21-1657 Enactment No: R-21-384 Approved

Resolution to Approve the Purchase of 75 Streetlight Luminaires from Graybar Electric Company, Inc. through the Michigan Delivering Extended Agreements Locally (MIDEAL) (\$37,500.00)

CA-4 21-1616 Enactment No: R-21-385 Approved

Resolution to Approve a Change Order with Toter LLC for Solid Waste Containers (\$50,000.00, total Purchase Order of \$148,000.00) and Appropriate \$50,000.00 from fund balance **(8 Votes Required)**

CA-5 21-1602 Enactment No: R-21-386 Approved

Resolution to Approve a Second Amendment to the Professional Services Agreement with CalAmp, Inc. for Tracking Fees and Annual Maintenance and Support of the Automated Vehicle Locator (AVL) Units for FY2022 - FY2024 (\$43,680, Annually)

CA-6 21-1619 Enactment No: R-21-387 Approved

Resolution to Approve Purchase of VMware Licensing and Support from CDW Government LLC (\$31,844.45)

CA-7 21-1695 Enactment No: R-21-388 Approved

Resolution to Approve a Purchase Order to Bellefeuil, Szur and Associates,

Inc. ("BS&A") for Annual Software Maintenance and Support for FY2022 (\$28,201.00)

CA-8 21-1704 Enactment No: R-21-389 Approved

Resolution to Accept and Appropriate Emergency Management Performance Grant Funds and Approve FY 2021 Emergency Management Performance Grant Agreement for Ann Arbor Emergency Management Program (\$42,976.00) **(8 Votes Required)**

CA-9 21-1631 Enactment No: R-21-390 Approved

Resolution to Approve a Professional Services Agreement with Washtenaw County for Case Management Services (Revenue up to \$45,000.00)

CA-10 21-1579 Enactment No: R-21-391 Approved

A Resolution to Apply for a Grant for \$45,000 for a Reconnaissance Level Historic Resource Survey of the Old Fourth Ward Historic District

CA-11 21-1739 Enactment No: R-21-392 Approved

Resolution to Accept an Easement for Public Right-of-Way at 725 Stimson Street from H&B Enterprises **(8 Votes Required)**

CA-3 21-1656 Enactment No:

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

Resolution to Authorize a Professional Service Agreement with Sam Schwartz Consultants, LLC., for the Moving Together Towards Vision Zero Action Plan and Associated Engineering Services (RFP 21-25) (\$362,739.30) **(8 Votes Required)**

21-1656 Enactment No: Postponed

A motion was made by Councilmember Griswold, seconded by Councilmember Ramlawi, that the Resolution be postponed until the 2nd meeting in November. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 2 - Councilmember Griswold and Councilmember Ramlawi

Nays: 9 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Resolution to Authorize a Professional Service Agreement with Sam Schwartz Consultants, LLC., for the Moving Together Towards Vision Zero Action Plan and Associated Engineering Services (RFP 21-25) (\$362,739.30) **(8 Votes Required)**

21-1656 Enactment No: R-21-393 Approved

The question being, the motion that was made by Councilmember Griswold, seconded by Councilmember Briggs, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 2 - Councilmember Hayner and Councilmember Griswold

Resolution to Authorize a Professional Service Agreement with Sam Schwartz Consultants, LLC., for the Moving Together Towards Vision Zero Action Plan and Associated Engineering Services (RFP 21-25) (\$362,739.30) **(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 [21-1496](#) An Ordinance to Amend Section 5.15.2 of Chapter 55 (Unified Development Code) of Title V of Code of The City of Ann Arbor - (Remove Warehousing and Indoor Storage in C2B Districts) (ORD-21-29)

A public hearing was conducted on the proposed Ordinance to Amend Section 5.15.2 of Chapter 55 (Unified Development Code) of Title V of Code of The City of Ann Arbor - (Remove Warehousing and Indoor Storage in C2B Districts) (ORD-21-29). Notice of public hearing was published September 30, 2021.

Seeing no one present for comment, Mayor Taylor declared the hearing closed.

Held and Closed

PH-2 [21-1651](#) An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor (ORD-21-30)
A public hearing was conducted on the proposed Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor (ORD-21-30). Notice of public hearing was published October 7, 2021.

Seeing no one present for comment, Mayor Taylor declared the hearing closed.

Held and Closed

PH-3 **21-1650** **Enactment No:** **Held and Closed**

Held and Closed

Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays). Notice of public hearing was published September 30, 2021.

The following persons were present to speak at the hearing:

Anne Bannister, Ward One, spoke in opposition, stating concerns about the destruction of the woodland.

Tom Stulberg, resident, spoke in opposition, stating the City and the developer can do better.

Seeing no further comment, the Mayor declared the public hearing closed.

A **APPROVAL OF COUNCIL MINUTES**

A-1 [21-1772](#) Special Work Session of September 21, Special Session of September 27 and Regular Session Meeting Minutes of October 4, 2021

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that the Special Work Session of September 21, Special Session of September 27 and Regular Session Meeting Minutes of October 4, 2021 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

- B-1** [21-1496](#) An Ordinance to Amend Section 5.15.2 of Chapter 55 (Unified Development Code) of Title V of Code of The City of Ann Arbor - (Remove Warehousing and Indoor Storage in C2B Districts) (ORD-21-29)

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

- B-2** [21-1651](#) An Ordinance to Add Chapter 104 (Energy and Water Benchmarking) to Title VIII of the Code of the City of Ann Arbor (ORD-21-30)

A motion was made by Councilmember Briggs, seconded by Councilmember Disch, that the Ordinance be adopted on Second Reading.

A motion was made by Councilmember Ramlawi, seconded by Councilmember Hayner, that the Ordinance be postponed at Second Reading until November 1, 2021. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Nays: 8 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

The question being, the motion that was made by Councilmember Briggs, seconded by Councilmember Disch, that the Ordinance be adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 11 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Ramlawi, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 0

C ORDINANCES - FIRST READING

- C-1** [21-1545](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.24 Acres from TWP (Township District) to R2A (Two-Family District), Issa Property, 201 Scio Church (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (ORD-21-31)

A motion was made by Councilmember Disch, seconded by Councilmember Eyer, that the Ordinance be approved on First Reading and should be returned by 11/15/2021. On a voice vote, the Mayor declared the motion carried.

- C-2** [21-1813](#) An Ordinance to Add Chapter 74 to Title VI of the Code of the City of Ann Arbor Which Shall Be Entitled "General Health" and to Add Sections 6:650 - 6:653 (Sanitation Supplies in Public Restrooms) (ORD-21-32)

A motion was made by Councilmember Disch, seconded by Councilmember Grand, that the Ordinance be approved on First Reading and should be returned by 11/15/2021. On a voice vote, the Mayor declared the motion carried.

RECESS

Mayor Taylor called a recess at 9:29 p.m. and reconvened the meeting at 9:40 p.m.

- C-3** [21-1825](#) An Ordinance to Amend Sections 1:451 to 1:455 of Chapter 17, Reapportionment of Wards, of Title I of the Code of the City of Ann Arbor (ORD-21-33)

A motion was made by Councilmember Grand, seconded by Councilmember Disch, that the Ordinance be approved on First Reading and should be returned by 11/1/2021. On a voice vote, the Mayor declared the motion carried.

DB New Business - Boards and Commissions:

DB-1 21-1650 Enactment No: R-21-394 Approved

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Mayor Taylor, Councilmember Grand, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 3 - Councilmember Hayner, Councilmember Griswold and Councilmember Ramlawi

Resolution to Approve Concord Pines Site Plan, Wetland Use Permit and Development Agreement, 660 Earhart Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

C New Business - Staff:

D MOTIONS AND RESOLUTIONS

DC Unfinished Business - Council:

DC-1 21-1442 Enactment No:

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

Resolution to Approve a Professional Services Agreement with DLZ Michigan, Inc. for Engineering Design Services for the E. Medical Center Drive Bridge Rehabilitation and Widening Project (\$1,011,319.29) (RFP 21-20)

21-1442 Enactment No: Amended

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

Add New RESOLVED Clause:

RESOLVED, The final design will utilize the additional width and

- E-1** [21-1756](#) Communication from Michigan Department of Environment, Great Lakes, and Energy (EGLE) regarding Revised Submission of National Pollutant Discharge Elimination Systems (NPDES) Municipal Application Form (Reissuance): Permit No. MIG760045, Submission Reference No. HP6-N0WC-CZMTZ - Ann Arbor WWTP - Public Services - Sustainability
- E-2** [21-1760](#) Resolution 2021-38 from Scio Township Urging Ann Arbor City Council to Improve the City Water Treatment Plant in Lieu of Purchasing Water from Great Lakes Water Authority - Public Services - Water Treatment - Sustainability
- E-3** [21-1726](#) Sarah Burch - Resignation from the Independent Community Police Oversight Commission
- E-4** [21-1784](#) Rishi Narayan - Resignation from the Ann Arbor Downtown Development Authority
- E-5** [21-1824](#) Communication dated October 12, 2021 from Attorney Steven C. Liedel Regarding the City's Mandatory COVID-19 Vaccination Policy
- F** **The following minutes were received for filing:**
- F-1** [21-1505](#) Minutes of the July 28, 2021 ZBA Meeting
- F-2** [21-1576](#) Commission On Disability Issues June Meeting Minutes
- F-3** [21-1609](#) August 2021 Transportation Commission Meeting Minutes
- F-4** [21-1622](#) Airport Advisory Committee Minutes - July 21, 2021
- F-5** [21-1691](#) LDFA Board Meeting Minutes - August 26, 2021
- F-6** [21-1746](#) Insurance Board Meeting Minutes - September 23, 2021

F-7 [21-1751](#) Ann Arbor Public Art Commission - August 2021 Meeting Minutes

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

Michelle Hughes, resident, spoke about the Concord Pines development.

Anne Bannister, resident, spoke about the Concord Pines development and the loss of landmark trees.

Tom Stulberg, resident, spoke about the City's planning process.

Rita Mitchell, resident, expressed her sadness with the loss of landmark trees at the Concord Pines development.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner stated the approval of the Concord Pines project is not in alignment with the City's sustainability goals.

COUNCILMEMBER GRISWOLD

Councilmember Griswold spoke about pedestrian crossing deaths.

COUNCILMEMBER DISCH

Councilmember Disch also addressed the City's sustainability goals and the conflict with current development.

COUNCILMEMBER SONG

Councilmember Song spoke about an upcoming City/Schools

Committee meeting.

ADJOURNMENT

A motion was made by Councilmember Griswold, seconded by Councilmember Disch, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:14 a.m.

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

**LIVE: MONDAY, OCTOBER 18, 2021 @ 7:00 P.M.
REPLAY: FRIDAY, OCTOBER 22, 2021 @ 8:00 P.M.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

**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.

A hard copy of this Council packet can be made available upon request.