

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

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Meeting Minutes - Final

Monday, April 18, 2022

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
Public commentary can be made in person or by calling: 877 853

Chambers
5247 or 888 788 0099

City Council

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:00 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

Councilmember Eyer arrived at 7:05 p.m.

Present: 10 - Mayor Christopher Taylor, Councilmember Julie Grand, Councilmember Jeff Hayner, Councilmember Kathy Griswold, Councilmember Elizabeth Nelson, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer and Councilmember Travis Radina

Absent: 1 - Councilmember Ali Ramlawi

APPROVAL OF AGENDA

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

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

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

AC-1 [22-0656](#) Gelman Plume and 1,4-Dioxane Update: January - March 2022

Received and Filed

AC-2 [22-0705](#) Feature Presentation April 2022 - Huron River Watershed Council

Received and Filed

AC-3 [22-0708](#) Agenda Response Memo and eComments - April 18, 2022

Received and Filed

AC-4 [22-0738](#) City Administrator's Report - April 18, 2022

Received and Filed

INT INTRODUCTIONS

INT-1 [22-0634](#) Arab American Heritage Month Proclamation

Mayor Taylor read a proclamation honoring Arab American Heritage Month. Therese Basha Jarjoura, Ibrahim Jarjoura and Nabele Ghareeb were present to accept the proclamation.

A copy of the proclamation is on file in the City Clerk's Office.

Received and Filed

INT-2 [22-0557](#) City Administrator's Presentation of Proposed FY23 Budget

Interim City Administrator Milton Dohoney Jr. presented the City Administrator's proposed FY23 budget to Council.

A copy of the budget proposal 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. John Mirsky - Neighborhood Assistance Corporation of America (NACA) Mortgages (DC-1) (in person)

John Mirsky, Chair of the Energy Commission, spoke in support of DC-1, Neighborhood Assistance Corporation of America (NACA).

2. Alan Haber - Invitation to Ann Arbor Earth Day at Community Commons (in person)

Alan Haber, resident, spoke about Earth Day coming up on April 22 and encouraged all to attend the celebration at the Community Commons in support of the day.

3. Teacher Barton - On-Going Unresolved Issue with Ann Arbor Police Department (in person)

"Teacher" Barton, resident, spoke about his concerns regarding the lack of transparency in the AAPD, stating all AAPD policies need to be publicly available.

4. Lefiest Galimore - General Concern as a Citizen (in person)

Lefiest Galimore, resident, spoke about Black Lives Matter and the racial inequities that continue to exist in the community.

5. Anne Garcia - Against the Resolution Condemning Antisemitism (in person)

Anne Garcia, resident, expressed concerns about Council taking a position on certain discrimination issues, but not all. She noted she was not against speaking out against antisemitism, but has process concerns.

6. Ian Robinson - Neighborhood Assistance Corporation of America (NACA) Mortgages (DC-1) (phone)

Ian Robinson, resident, spoke in support of DC-1, regarding Neighborhood Assistance Corporation of America (NACA) mortgages.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIGGS

Councilmember Briggs announced that Councilmember Ramlawi had to miss tonight's meeting due to illness. She stated she wanted to recognize his support for Arab American month.

COUNCILMEMBER HAYNER

Councilmember Hayner congratulated the Skyline High School robotics team for their recent success.

Councilmember Hayner also responded to the public speaker who talked about AAPD internal policies. He stated the PD has made a lot of efforts in recent weeks to publish the policies online that can be made public.

COUNCILMEMBER GRAND

Councilmember Grand stated the Parks Department is currently seeking input on the PROS Plan (Parks and Recreation Open Space Plan). She encouraged residents to provide input.

COUNCILMEMBER DISCH

Councilmember Disch encouraged residents to participate in the City's Earth Day celebrations.

COUNCILMEMBER NELSON

Councilmember Nelson spoke about the community's efforts to achieve more sustainable power. She stated more information is available at AnnArborPublicPower.org

COUNCILMEMBER RADINA

Councilmember Radina urged residents to apply to be a member of one of the City's many boards and commissions. He stated there are currently vacancies on many boards.

COUNCILMEMBER GRISWOLD

Councilmember Griswold provided an update on the Gelman 1,4 dioxane plume.

MC COMMUNICATIONS FROM THE MAYOR**MC-1 [22-0588](#) Appointments - Confirmations**

Mayor Taylor requested approval of the following nomination that was presented to Council for consideration at the April 4, 2022 Regular Session:

*Housing and Human Services Advisory Board
Karen Wanza-Partial Term
727 Miller Ave
Term Ending: May 31, 2024*

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

CA CONSENT AGENDA**Passed on consent agenda**

A motion was made by Councilmember Briggs, seconded by Councilmember Eyer, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously, with ten members present, thus satisfying the eight-vote requirement of CA-4.

CA-1 [22-0641](#) Enactment No: R-22-097 Approved

Resolution to Approve the Closing of Streets for the 2022 Glacier Highlands Neighborhood Association Annual Memorial Day Parade, Monday, May 30, 2022

CA-2 [22-0644](#) Enactment No: R-22-098 Approved

Resolution to Approve Street Closings for the 2022 Ann Arbor Summer Festival's "Top of the Park" - June 4, 2022 through July 6, 2022

CA-3 [22-0587](#) Enactment No: R-22-099 Approved

Resolution to Approve a Construction Contract with Rauhorn Electric, Inc. for the Veterans Memorial Park Skatepark Lighting Project (\$269,955.00) (ITB 4707)

CA-4 [22-0403](#) **Enactment No:** **R-22-100** **Approved**

Resolution to Approve Amendment 1 to the Professional Services Agreement with Atlas Technical Consultants LLC for Additional Environmental Services at 2000 S. Industrial Highway and to Appropriate Funding in the Amount of \$100,000.00 from the Water Supply System Fund Balance **(8 Votes Required)**

CA-5 [22-0583](#) **Enactment No:** **R-22-101** **Approved**

Resolution to Approve Amendment 2 to the Professional Services Agreement for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport with Mead & Hunt Inc. (\$156,765.71)

CA-6 [22-0581](#) **Enactment No:** **R-22-102** **Approved**

Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment Study for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$156,766.00)

CA-7 [22-0606](#) **Enactment No:** **R-22-103** **Approved**

Resolution to Approve the Purchase of Vehicles from Signature Ford (MiDeal - \$240,585.00)

CA-8 [22-0601](#) **Enactment No:** **R-22-104** **Approved**

Resolution to Amend Two Purchase Orders with Bell Equipment Company for Electric Refuse Trucks (\$10,000.00)

CA-9 [22-0575](#) **Enactment No:** **R-22-105** **Approved**

Resolution to Approve a Purchase Order for the Rental of Refuse Trucks from Premier Truck Sales & Rental Inc. (Sourcewell - NTE \$171,600.00)

CA-10 [22-0555](#) **Enactment No:** **R-22-106** **Approved**

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech of Michigan, PC, for Water Treatment Professional Engineering Services (\$550,000.00 increase, total contract \$1,050,000.00)

CA-11 [22-0488](#) **Enactment No:** **R-22-107** **Approved**

Resolution to Approve a Construction Contract with Z Contractors, Inc. for the Huron Parkway Bridge Capital Preventative Maintenance Repairs (\$657,446.51)

CA-12 [22-0544](#) **Enactment No:** **R-22-108** **Approved**

Resolution to Award a Construction Contract to SAK Construction, LLC (\$1,048,468.00, Bid No. ITB-4704) for the 2022 Sewer Lining Project

CA-13 [22-0582](#) **Enactment No:** **R-22-109** **Approved**

Resolution to Approve a Construction Contract with E.T. MacKenzie Company for the Stadium/Washtenaw Area Utility Improvements Project (\$1,829,900.00)

CA-14 [22-0547](#) **Enactment No:** **R-22-110** **Approved**

Resolution to Approve an Amendment to the Pharmacy Benefit Management Agreement with Express Scripts Inc. (\$9,397,954.00)

CA-15 [22-0548](#) **Enactment No:** **R-22-111** **Approved**

Resolution to Approve Amendment to Member Services Agreement with Keenan & Associates (\$88,000.00)

CA-16 [22-0539](#) **Enactment No:** **R-22-112** **Approved**

Resolution to Authorize Settlement of Roth and Spaly v. Neighbors, Inc., the Ann Arbor Housing Commission, and the City of Ann Arbor, 22nd Circuit Court, Case No. 22-000282-CB

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 [22-0222](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.5 Acre from TWP (Township District) to R1B (Single-Family District), Wilson-Barry Property, 614 Riverview Drive, (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (ORD-22-05)

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning), Rezoning of 0.5 Acre from TWP (Township District) to R1B

(Single-Family District), Wilson-Barry Property, 614 Riverview Drive, (CPC Recommendation: Approval - 9 Years and 0 Days) (ORD-22-05). Notice of public hearing was published March 31, 2022.

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

Held and Closed

A APPROVAL OF COUNCIL MINUTES

A-1 [22-0667](#) Regular Session Meeting Minutes of April 4, 2022

A motion was made by Councilmember Eyer, seconded by Councilmember Radina, that the Regular Session Meeting Minutes of April 4, 2022 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [22-0222](#) An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.5 Acre from TWP (Township District) to R1B (Single-Family District), Wilson-Barry Property, 614 Riverview Drive, (CPC Recommendation: Approval - 9 Years and 0 Days) (ORD-22-05)

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

C ORDINANCES - FIRST READING

C **New Business - Staff:**

C-1 [22-0592](#) An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-22-07)

A motion was made by Councilmember Grand, seconded by Councilmember Disch, that the Ordinance be approved on First Reading, due back on 5/5/2022. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 1 - Councilmember Hayner

Absent: 1 - Councilmember Ramlawi

Enactment No: ORD-22-07

C-2 [22-0585](#) An Ordinance to Amend Section 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-22-08)

A motion was made by Councilmember Disch, seconded by Councilmember Briggs, that the Ordinance be approved on First Reading, due back on 5/5/2022. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 1 - Councilmember Hayner

Absent: 1 - Councilmember Ramlawi

Enactment No: ORD-22-08

C-3 [22-0647](#) An Ordinance to Amend Chapter 112 (Non-Discrimination), Sections 9:150, 9:151, 9:156, and 9:159, Title IX of the Code of the City of Ann Arbor To Update Definitions of Gender Expression, Gender Identity, and Sexual Orientation; Reorder Definitions; Add Definition of Religion to Include Prohibition Against Religious-Based Hair and Head Coverings Discrimination; and To Remove Requirement that Complaint be Filed within 180 Days (ORD-22-09)

A motion was made by Councilmember Radina, seconded by Councilmember Nelson, that the Ordinance be approved on First Reading, due back on 5/5/2022. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-22-09

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [22-0690](#) Enactment No: R-22-134

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

Resolution for the City of Ann Arbor to Sponsor Information on the Neighborhood Assistance Corporation of America (NACA) Mortgages to City Employees and Residents

RECESS

Mayor Taylor declared a recess at 8:18 p.m. and reconvened the meeting at 8:23 p.m.

[22-0690](#) Enactment No: R-22-134 Postponed

A motion was made by Councilmember Griswold, seconded by Councilmember Radina, that the Resolution be postponed until 5/5/2022. On a voice vote, the Mayor declared the motion carried.

Resolution for the City of Ann Arbor to Sponsor Information on the Neighborhood Assistance Corporation of America (NACA) Mortgages to City Employees and Residents

DC-2 [22-0706](#) Enactment No: R-22-113

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

Resolution to Extend the Days of the Main Street Area Ann Arbor Social District

[22-0706](#) Enactment No: R-22-113 Amended

Amended

Resolution to Extend the Days of the Main Street Area Ann Arbor Social District

Councilmember Briggs moved, seconded by Councilmember Eyer, that the Resolution be amended as follows:

RESOLVED, City Council resolution R-21-321 shall remain effective in its totality, except that the operating days and times shall be as follows:

☐ Sunday through Saturday from 10:00AM [4:00 pm] to 11:00 pm each day.

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

The motion was considered friendly by the Body.

22-0706 Enactment No: R-22-113 Approved as Amended

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

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

Nays: 1 - Councilmember Hayner

Absent: 1 - Councilmember Ramlawi

Resolution to Extend the Days of the Main Street Area Ann Arbor Social District

DB New Business - Boards and Commissions:

DS New Business - Staff:

DS-1 22-0610 Enactment No: R-22-114 Approved

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

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 0

Absent: 1 - Councilmember Ramlawi

Resolution Authorizing 2022 Michigan Transportation Fund Bonds (Not to Exceed \$15,000,000.00) (General Obligation - Limited Tax) (**7 Votes Required**)

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 Eyer, seconded by Councilmember Radina, that Council enter into Closed Session under the Michigan Open Meetings Act, MCL 15.268 (e) to discuss pending litigation. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 8:37 p.m.:

Yeas: 10 - Mayor Taylor, Councilmember Grand, Councilmember Hayner, Councilmember Griswold, Councilmember Nelson, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer and Councilmember Radina

Nays: 0

Absent: 1 - Councilmember Ramlawi

MEETING RECONVENED

A motion was made by Councilmember Radina, seconded by Councilmember Eyer, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 8:57 p.m.

AMEND THE AGENDA

Councilmember Grand moved, seconded by Councilmember Disch, that the Agenda be amended to include DS-2:

Resolution to Authorize Settlement of Michael Dortch v. City of Ann Arbor, Washtenaw County Circuit Court, Case No. 19-1247-CD

On a voice vote the motion carried.

DS-2 [22-0746](#) Enactment No: R-22-115

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, with Councilmember Hayner dissenting.

Resolution to Authorize Settlement of *Michael Dortch v. City of Ann Arbor*,
Washtenaw County Circuit Court, Case No. 19-1247-CD

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

Passed on consent agenda

A motion was made by Councilmember Disch, 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 The following communications were referred as indicated:

- E-1** [22-0530](#) Transportation Commission Bylaws Amendment

- E-2** [22-0538](#) Transportation Commission Traffic Stop Transparency Resolution

- E-3** [22-0605](#) ICPOC Resolution to City Council Regarding Ann Arbor Traffic Transparency

- E-4** [22-0639](#) Communication from DTE Electric Company regarding a Pre-Hearing Scheduled for April 26, 2022 in case U-21195 - Sustainability - Attorney

F The following minutes were received for filing:

- F-1** [22-0512](#) Airport Advisory Committee Minutes - January 19, 2022

- F-2** [22-0426](#) ICPOC February Meeting Minutes

- F-3** [22-0528](#) February 2022 Transportation Commission Meeting Minutes

F-4 [22-0504](#) February 15, 2022 City Planning Commission Meeting Minutes

F-5 [22-0505](#) March 1, 2022 City Planning Commission Meeting Minutes

G COMMUNICATIONS FROM THE CITY ATTORNEY

The new City Attorney, Atleen Kaur, introduced herself to Council. Councilmembers welcomed her.

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.

Eric Lipson, resident, spoke about corruption in Council's decision-making.

Adam Jaskiewicz, resident, spoke about the widening of East Medical Center Bridge.

An unknown caller spoke about local Starbucks employees unionizing.

Linda Berauer, resident, thanked interim City Administrator Milton Dohoney Jr. for his work.

Ralph McKee, Ward 5, spoke about the most recent Salvatore report and some inaccuracies that have been identified.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HAYNER

Councilmember Hayner spoke about the redevelopment of the old "Y" lot.

COUNCILMEMBER BRIGGS

Councilmember Briggs addressed the need for sensitivity regarding substance abuse. She stated Ann Arbor should be a supportive community to those in recovery or needing help.

COUNCILMEMBER SONG

Councilmember Song spoke about programs in support of equity and social justice.

COUNCILMEMBER NELSON

Councilmember Nelson stated Councilmember Ramlawi sent his regrets for missing the meeting.

ADJOURNMENT

A motion was made by Councilmember Radina, seconded by Councilmember Disch, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:21 p.m.

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

LIVE: MONDAY, APRIL 18, 2022 @ 7:00 P.M.

REPLAY: FRIDAY, APRIL 22, 2022 @ 8:00 P.M.

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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.

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

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