

# City of Ann Arbor

100 N. Fifth Avenue  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>



## Action Minutes

Thursday, November 5, 2009

7:00 PM

G. C. Larcom, Jr. Municipal Bldg. 2nd Flr.

City Council

**CALL TO ORDER**

*Mayor Hieftje called the meeting to order at 7:10 p.m. in the Guy C. Larcom Jr., Municipal Building, 2nd Floor Council Chambers, 100 N. Fifth Avenue.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

*Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.*

**ROLL CALL OF COUNCIL**

- Present:** 9 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Christopher Taylor and Councilmember Carsten Hohnke
- Absent:** 2 - Councilmember Margie Teall and Councilmember Tony Derezinski

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Anglin, seconded by Councilmember Briere, that the agenda be approved with the following changes:**

**Add: CLOSED SESSION TO DISCUSS PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATION AND/OR LAND ACQUISITION AND THE ANNUAL PERFORMANCE EVALUATION FOR THE CITY ADMINISTRATOR**

**On a voice vote, the Mayor declared the motion carried.**

**INT INTRODUCTIONS**

**None.**

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

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

**• ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

**1. Thomas Partridge - Affordable Housing**

*Thomas Partridge, Scio Township resident, said that housing development is critical to the economic development of Ann Arbor and the region. He added that larger appropriations and grants for affordable housing are needed.*

**2. John Lofy - Decision to Repair Argo Dam (CA-3)**

*Not present.*

**3. Kathy Griswold - Student Safety (DC-3)**

*Kathy Griswold, 3565 Fox Hunt Drive, addressed Council regarding student safety. She stated she is concerned that the City has a campaign to increase the number of cyclists and walkers, but is doing nothing regarding safety.*

**4. Kevin Bolon - Recycling (DS-3)**

*Kevin Bolon, 1924 Lindsay Lane, spoke in opposition of the proposed recycling program. He urged Council to reject the idea of single stream recycling and use the recycle bank proposal with the current two-stream system.*

**5. Alan Haber - Project Budget for South Fifth Avenue Underground Parking Structure (DS-11)**

*Alan Haber, 531 Third Street, addressed Council regarding the project budget for the South Fifth Avenue Underground Parking Structure. He said the Ann Arbor Committee for the Commons is having a meeting next Sunday at 310 S. Ashley at 3:30 p.m. to continue to invite public input into the proposal for a common space at this site.*

**6. Seth Best - Contract with the Shelter Association of Washtenaw County (DC-1)**

*Seth Best, 312 W. Huron, spoke in support of the proposed resolution for emergency funding for the Shelter Association of Washtenaw County. Mr. Best stated he used the center last year and understands the great need for funding at the Delonis Center.*

**7. Brian Nord - Contract with the Shelter Association of Washtenaw County (DC-1)**

*Brian Nord, 508 Krause Street, spoke in support of the proposed contract with the Shelter Association of Washtenaw County.*

**8. Libby Hunter - Recycling (DS-3) & Project Budget for South Fifth Avenue Underground Parking Structure (DS-11)**

*Libby Hunter, 827 Bruce, addressed Council in song regarding her opposition to single stream recycling and the project budget for the South Fifth Avenue underground parking structure.*

**9. Kermit Schlansker - City Responsibilities**

*Kermit Schlansker, 2960 Marshall Street, addressed Council regarding the City's responsibilities towards global warming and tree planting.*

**10. Henry Herskovitz - Palestine**

*Henry Herskovitz, 404 Mark Hannah, addressed Council regarding the issues in Palestine.*

**Alternates:****1. Sacha Platt - Housing Procedures**

*Sacha Platt, 8 Downing Ct., addressed Council regarding his concerns with housing procedures at Avalon Housing. Mr. Platt is a resident at Avalon Housing and has been having serious conflicts with another resident. He asked that Council set up a meeting with Avalon to address the relevant issues with him and the other tenant.*

**COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER HOHNKE**

*Councilmember Hohnke recommended the reappointment of Christopher Graham to the Environmental Commission for consideration at the 11/16/09 Council meeting.*

*He added that the Environmental Commission reviewed and supported a change to the City Code that came out of the Malletts Creek Coordinating Committee to try to control stormwater runoff in the first flush on single and two-family residential properties, when homeowners are adding 200 sq. ft. or more of impervious surface. A public hearing on this matter is scheduled for November 19, 2009 at 7:00 p.m. in the Council Chamber.*

**COUNCILMEMBER BRIERE**

*Councilmember Briere said that she attended the second meeting of the Washtenaw County Land Bank Authority. Ms. Briere expects to have all members appointed to this board by the third meeting in November, which is scheduled for November 30, 2009. They also plan to adopt by-laws at that meeting and begin work.*

**COUNCILMEMBER ANGLIN**

*Councilmember Anglin announced that on November 14, 2009, at 9:15 a.m., there will be a tree planting in the Virginia Park Neighborhood. Fifty-two trees are expected to be planted and anyone who would like to participate in the planting of the trees is encouraged to come out and help. For more information, residents should visit the website at [www.annarbortreeconservancy.org](http://www.annarbortreeconservancy.org).*

**09-1100**

Resolution to Re-Appoint Member to the City Environmental Commission

**Sponsors:** Teall and Hohnke**This matter was referred to the City Council due back on 11/16/2009.****PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

**PH-1 09-1019**

Resolution to Approve CVS Pharmacy Site Plan, 209 South State Street, (CPC Recommendation: Approved - 6 Yeas and 0 Nays)

*A public hearing was held on the proposed resolution to approve the CVS Pharmacy Site Plan, located at 209 South State Street. Notice of public hearing was published October 22, 2009.*

*Thomas Partridge, Scio Township resident, asked Council to amend the resolution to ensure access to public transportation on this site.*

*There being no further comment, the Mayor declared the hearing closed.*

**PH-2 09-1023**

Resolution to Approve Consolidation of City of Ann Arbor Master Plan: Land Use Element (CPC Recommendation: Approved - 8 Ayes and 0 Nays)

*A public hearing was held on the proposed Resolution to Approve Consolidation of City of Ann Arbor Master Plan: Land Use Element. Notice of public hearing was published October 22, 2009.*

*Ethel Potts, 1014 Elder Boulevard, said that she was an original member of the subcommittee formed to review the plan and that the goal at that time was to maintain the important parts of the plan and not to rewrite those parts, but to consolidate them and make them brief and more useable. The structure of this plan was reorganized and she stated it is now difficult to tell what has been maintained and what is no longer included.*

*Karen Sidney, 100 Longman Lane, expressed concerned with the whole process of the rezoning and changing of the plan. She added that one thing that makes Ann Arbor strong is because of its diversity and these changes may impact that diversity.*

*Thomas Partridge, 4220 Eyrie Dr., asked that Council postpone passage of the proposed resolution to approve the consolidation of the Master Plan.*

*There being no further comment, the Mayor declared the hearing closed.*

**COMMUNICATIONS FROM COUNCIL**

*None.*

**A APPROVAL OF COUNCIL MINUTES****A-1 09-1060**

City Council Minutes of October 12 and October 19, 2009

**A motion was made by Councilmember Briere, seconded by Councilmember Greden, that the Work Session Minutes of October 12 and the Regular Session Minutes of October 19, 2009 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**CA CONSENT AGENDA****Passed on consent agenda**

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

**CA-1 09-0936** Resolution to Establish the Fixed Charges for the 2010 Water and Sanitary Sewer Improvement Charges

Enactment No: R-09-429

**CA-2 09-0969** Resolution to Authorize the Street Administrator to Sign Traffic Signal Control Cost Agreements and Municipal Trunk Line Maintenance Contracts with the Michigan Department of Transportation

Enactment No: R-09-430

**CA-3 09-1061** Resolution to Approve Contract with Bodman, LLP, for Legal Services Relative to MDEQ Dam Safety Order Regarding Argo Dam (\$38,000.00)

**A motion was made by Councilmember Greden, seconded by Councilmember Briere, that the Resolution be Laid on the table. On a voice vote, the Mayor declared the motion carried.**

**B ORDINANCES - SECOND READING**

None.

**C ORDINANCES - FIRST READING**

None.

**D MOTIONS AND RESOLUTIONS**

**DC New Business - Council:**

*Councilmember Derezinski arrived at 8:03 p.m., Councilmember Teall arrived at 8:07 p.m.*

**Present:** 11 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Carsten Hohnke

**DC-1 09-1091** Resolution to Approve a \$30,500.00 Contract with the Shelter Association of Washtenaw County and a \$129,000.00 Contract with Interfaith Hospitality Network to provide short-term housing/shelter with support services to homeless individuals and families and Appropriate \$159,500.00 from the Ann Arbor Housing Trust Fund (\$159,500.00 Ann Arbor Housing Trust Fund)

**Sponsors:** Hieftje, Smith and Briere

**A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be approved.**

**The following amendments were considered friendly:**

**Change the Appropriation Amount in the title from \$159,000 to \$159,500.**

**Amend 4th RESOLVED Clause: ...RESOLVED, That Council appropriate \$159,500 from the Ann Arbor Housing Trust Fund PRIOR YEAR FUND BALANCE for these contracts; and**

**On a voice vote, the Mayor declared the motion carried unanimously.**

Enactment No: R-09-431

**DC-2 09-1090** Resolution to Approve Memorandum of Understanding between the City of Ann Arbor and the University of Michigan for the Development of the Fuller Road Station

**Sponsors:** Hieftje, Rapundalo and Greden

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

Enactment No: R-09-432

**DC-3 09-1089** Resolution to Approve the Fuller Road Station: Master Concept Plan, Amend the Agreement with JJR, LLC, and Amend the Existing Project Budget (\$111,228.00)

**Sponsors:** Hieftje, Rapundalo and Greden

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

Enactment No: R-09-433

## RECESS

*The Mayor declared a recess at 8:51 p.m. and reconvened the meeting at 9:10 p.m.*

**DC-4 09-0924** Resolution to Award a Construction Contract to Site Development Inc. for the Steere Farm Well Field Raw Water Main Replacement Project (\$1,087,393.22; Bid No. ITB-4034)

**Sponsors:** Higgins

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

Enactment No: R-09-434

**DC-5 09-1064**

Resolution to Approve Deed Restrictions on Use of Portion of Ann Arbor Municipal Airport (8 Votes Required)

**Sponsors:** Higgins

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

Enactment No: R-09-435

**DC-6 09-0851**

Resolution to Approve Agreement with Charter Township of Pittsfield Supplementing 1979 Policy Statement Relative to Airport Layout Plans, Aeronautical Facilities and Non-Aeronautical Facilities at the Ann Arbor Airport

**Sponsors:** Greden

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

Enactment No: R-09-436

**DB New Business - Boards and Commissions:**

**DB-1 09-1019**

Resolution to Approve CVS Pharmacy Site Plan, 209 South State Street, (CPC Recommendation: Approved - 6 Yeas and 0 Nays)

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

Enactment No: R-09-437

**DB-2 09-1023**

Resolution to Approve Consolidation of City of Ann Arbor Master Plan: Land Use Element (CPC Recommendation: Approved - 8 Ayes and 0 Nays)

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

Enactment No: R-09-438

**DS Old Business - Staff:**

**DS-1 09-0954**

Resolution to Appropriate \$24,000.00 from the Ann Arbor Housing Trust Fund Fund Balance for Consultants and Pre-Development Grants (\$24,000.00 AAHTF) - (8 Votes Required)

**A motion was made by Councilmember Smith, seconded by Councilmember Rapundalo, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with nine members present, thus satisfying the eight-vote requirement.**

Enactment No: R-09-439



**DS-2 09-0998** Resolution to Conditionally Release a Portion of Utilities Easement Reserved in Boulevard Heights Alley Vacation (8 Votes Required)

**A motion was made by Councilmember Taylor, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with nine members present, thus satisfying the eight-vote requirement.**

Enactment No: R-09-440

**DS New Business - Staff:**

**DS-3 09-0944** Resolution to Appropriate Funds to the Approved FY 2010 Solid Waste Capital Budget (\$1,322,950.00), Approve Contract Amendment #8 with FCR LLC for MRF Single Stream Recycling Upgrades and Processing Changes (\$3,250,000.00) and Agreement with Resource Recycling Systems (\$102,950.00) (8 Votes Required)

**A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the resolution be approved.**

Enactment No: R-09-441

#### **RECESS**

*Mayor Hieftje declared a recess at 9:33 p.m. and reconvened the meeting at 9:45 p.m.*

**09-0944** Resolution to Appropriate Funds to the Approved FY 2010 Solid Waste Capital Budget (\$1,322,950.00), Approve Contract Amendment #8 with FCR LLC for MRF Single Stream Recycling Upgrades and Processing Changes (\$3,250,000.00) and Agreement with Resource Recycling Systems (\$102,950.00) (8 Votes Required)

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

Enactment No: R-09-441

**DS-4 09-0965** Resolution to Award Contracts for Storm Water and Sanitary Sewer Construction Services to Douglas N. Higgins, Inc. (\$250,000.00) and to E.T. MacKenzie Company (\$250,000.00)

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

**Yeas:** 11 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 0

Enactment No: R-09-445

- DS-5 09-0922** Resolution to Award a Construction Contract to DownUnder Municipal Services, LLC (Bid No. 4050, \$160,809.00) for the 2009 Sewer Cleaning and Televising Project
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-446
- DS-6 09-1034** Resolution to Accept and Appropriate a U.S. Department of Justice Domestic Violence Prevention Grant (\$398,123.00) (8 Votes Required)
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-09-447
- DS-7 09-1033** Resolution to Approve a Domestic Violence Prevention Grant Service Contract with the Domestic Violence Project, Inc. (Safehouse Center) (\$89,000.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-448
- DS-8 09-1035** Resolution to Approve Michigan Supreme Court SCAO DWI Drug Treatment Court Grant Contract and Accept, Appropriate and Authorize Expenditure of Funds (\$50,000.00) (8 Votes Required)
- A motion was made by Councilmember Greden, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-09-449
- DS-9 09-1036** Resolution to Approve a Michigan Supreme Court SCAO Drug Court Grant Program Contract and Accept, Appropriate and Authorize Expenditure of Funds (\$41,800.00) (8 Votes Required)
- A motion was made by Councilmember Greden, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-09-450
- DS-10 09-1037** Resolution to Approve a Contract with Dawn Farm, Inc. to Provide Drug Abuse Counseling and Rehabilitation Services to 15th Judicial District Court Defendants (Sobriety Court Program) (\$140,000.00)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Greden, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-451

**DS-11 09-0919** Resolution to Amend Project Budget for South Fifth Avenue Underground Parking Structure (\$58,777,228.00) and Debt Service Budget for the Parking Structure Bond Interest Payment (\$1,925,600.00) (8 Votes Required)

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

Enactment No: R-09-452

#### **CONSENT AGENDA ITEM RECONSIDERED**

**CA-3 09-1061** Resolution to Approve Contract with Bodman, LLP, for Legal Services Relative to MDEQ Dam Safety Order Regarding Argo Dam (\$38,000.00)

**A motion was made by Councilmember Greden, seconded by Councilmember Rapundalo, that the agenda be altered to reconsider the Resolution to Approve Contract with Bodman, LLP, for Legal Services Relative to MDEQ Dam Safety Order Regarding Argo Dam. On a voice vote, the Mayor declared the motion carried.**

**The Resolution to Approve a Contract with Bodman, LLP for Legal Services was considered.**

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

Enactment No: R-09-442

#### **E COMMUNICATIONS FROM THE MAYOR**

E-1 09-1058 Appointment - Confirmations

A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, that the following Appointments be Approved.

**Cable Communications Board**

Emily Eisbruch Replacing -Paul Bancel  
2561 Bunker Hill (Serving out the rest of Paul's term)  
Ann Arbor, MI 48105  
Term: November 5, 2009-April 16, 2012

**Downtown Area Citizens Advisory Council**

Newcombe Clark Re-appointment  
113.5 W. Liberty  
Ann Arbor, MI 48104  
Term: November 5, 2009- November 5, 2012

**Taxicab Board**

Robert Snider Re-Appointment  
P.O. Box 7894  
Ann Arbor, MI 48107  
Term: November 5, 2009- November 5, 2012

Barbara Krick Re-Appointment  
2345 Delaware Dr.  
Ann Arbor, MI 48103  
Term: November 5, 2009-November 5, 2012

**Zoning Board of Appeals**

Aaron Pilat Replacing-Charles Carver  
2841 Whitewood St.  
Ann Arbor, MI 48104  
Term: November 5, 2009-November, 2012

**RFP Review Committee - Top of Library Lot Parking Structure  
(1-Step Process)**

Margie Teall - Council Member  
Term: November 5, 2009 -

Stephen Rapundalo - Council Member  
Term: November 5, 2009 -

Eric Mahler - Planning Commission  
3267 Turnberry Lane  
Ann Arbor, MI 48108  
Term: November 5, 2009 -

John Splitt - DDA  
1723 Ivywood Dr.

Ann Arbor, MI 48103  
Term: November 5, 2009 -

Scott Rosencrans - Resident (Chair of Parks Commission)  
3051 Lakeview Dr.  
Ann Arbor, MI 48103  
Term: November 5, 2009 -

On a voice vote, the Mayor declared the motion carried.

E-2      09-1099      Appointments and Nominations

A motion was made by Councilmember Higgins, seconded by Councilmember Greden, that the following Appointment to the Commission on Disability Issues be referred to the City Council and should be returned by 11/16/2009.

Commission on Disability Issues

Joan Kauffman (Filling Vacancy)  
431 Eighth St.  
Ann Arbor, MI 48103  
Term: November 19, 2009-November 19, 2012

On a voice vote, the Mayor declared the motion carried.

## COMMUNICATIONS FROM COUNCIL

*COUNCILMEMBER HIGGINS*

*Councilmember Higgins reminded the City Administrator that the Council Rules restrict agenda item titles to 20 words or less. She asked that staff adhere to this rule.*

*FAREWELLS*

*Mayor and Council recognized Councilmember Greden for his years of service to the Council and the City of Ann Arbor on his last official meeting as a City Councilmember.*

*Outgoing Councilmember Greden gave a farewell speech to Councilmembers, thanking them for their support for the time he served as a Councilmember.*

## F      COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1      09-1027      New City Financial System

*City Administrator Roger Fraser reminded Council of a Work Session scheduled for November 9, 2009 to discuss Restructuring of Parking Fines and a Social Media Presentation.*

## G      COMMUNICATIONS FROM THE CITY ATTORNEY

*None.*

G-1 09-1063 Annexation of the Dicken Woods Nature Property

**H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

**H The following communications were referred as indicated:**

**Passed on consent agenda**

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

- H-1 09-1056 Communication from Janis A. Bobrin, Washtenaw County Water Resources Commissioner regarding Notice of Receipt of Petition regarding the Allen Creek Sylvan Avenue Drain
- H-2 09-1068 Communication from Susan K. Friedlaender, Attorney for the Owners of 1320 S. University, requesting an Individual Hearing on the Rezoning of 1320 S. University - cc: Planning and Development Services
- H-3 09-1070 Communication from Janis Bobrin of Washtenaw County regarding notice of Hearings regarding the following projects: Allen Creek West Park Drain Project, Allen Creek Stadium Boulevard Suffolk to Hutchins Project and Allen Creek Sylvan Avenue Drain Project - Public Services, Planning and Development Services
- H-4 09-1071 Communication from Ann Arbor Charter Township Planning Commission regarding notice of Public Hearings for the Verdura Senior Resort Community PUD and a Natural Features Setback Permit hearing for Verdura Senior Resort Community - Planning and Development Services
- H-5 09-1072 Communication from Comcast regarding changes to the channel lineup effective December 15, 2009 - CTN
- H-6 09-1073 Communication from Rachel Jacobi regarding a proposal to ban smoking from the Transit Center and from Ann Arbor-owned property that K-12 students visit
- H-7 09-1080 Specialty Food Producers Meet & Greet Event Notification - Nov 11, 2009

**I The following minutes were received for file:**

- I-1 09-0906 Planning Commission Minutes of July 21, 2009
- I-2 09-0967 Planning Commission Minutes of August 18, 2009
- I-3 09-1010 Housing and Human Services Advisory Board Minutes - May 7, 2009

- I-4      09-1017      Public Market Advisory Commission Minutes - August 4, 2009
- I-5      09-1031      Downtown Area Citizens Advisory Council Minutes - September 2, 2009
- I-6      09-1032      Ann Arbor Downtown Development Authority Meeting Minutes - September 2, 2009

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

**1.      Arnold Goetzke - East Stadium Bridge**

*Arnold Goetzke, 1504 Westminster Place, addressed Council regarding the Stadium Bridge condition. He requested that the City Engineer review the bridge.*

**2.      Kathy Griswold - cross walk at Huron High School**

*Kathy Griswold, 3565 Fox Hunt Drive, spoke about a crosswalk near Huron High School.*

**CLOSED SESSION TO DISCUSS PENDING LITIGATION AND ATTORNEY /  
CLIENT PRIVILEGED COMMUNICATION AND/OR LAND ACQUISITION**

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that Council enter into Closed Session TO DISCUSS PERSONNEL EVALUATION OF THE CITY ADMINISTRATOR. On roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 10:37 p.m.

[Note: The minutes were approved as above. City Council had actually made the motion to go into Closed Session for the evaluation of the City Administrator as indicated on the audio and video recording of the meeting. The reason for Closed Session was also recorded in the motion to Approve the Agenda. The omission in this motion was a clerical error and is clarified with this note on November 19, 2009.]

**All Caps indicates new language - Approved on December 7, 2009**

**Yeas:** 11 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 0

**MEETING RECONVENED**

A motion was made by Councilmember Taylor, seconded by Councilmember Hohnke, that the regular session of Council be reconvened. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:12 p.m.

**RECONSIDER AGENDA**

A motion was made by Councilmember Greden, seconded by Councilmember Rapundalo, that the Agenda be Reconsidered. On a voice vote, the Mayor declared the motion carried.

**ADD ITEMS TO AGENDA**

A motion was made by Councilmember Greden, seconded by Councilmember Rapundalo, that the following items be added to the Agenda:

**DC-7 Resolution to Amend the City Administrator's Employment Contract**

**DC-8 Resolution to Amend the City Attorney's Employment Contract**

On a voice vote, the Mayor declared the motion carried.

**DC-7 09-1101** Resolution to Amend the City Administrator's Employment Contract

Sponsors: Greden, Teall, Rapundalo, Hieftje and Higgins

A motion was made by Councilmember Greden, seconded by Councilmember Higgins, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-09-443

**DC-8 09-1102** Resolution to Amend the City Attorney's Employment Contract

Sponsors: Greden, Higgins, Hieftje, Rapundalo and Teall

A motion was made by Councilmember Greden, seconded by Councilmember Taylor, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-09-444

**09-1122** Council Emails - 11/5/09

**ADJOURNMENT**

A motion was made by Councilmember Greden, seconded by Councilmember Teall, that the meeting Adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:15 p.m.

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: THURSDAY, NOVEMBER 5, 2009, 7:00 P.M.**

**REPLAYS: TBD**



**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

**Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.**

**A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.**