

City of Ann Arbor

301 E. Huron Street
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Action Minutes

Monday, September 19, 2011

7:00 PM

City Hall, 301 E. Huron Street, 2nd Floor

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:10 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.

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: 11 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, 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

APPROVAL OF AGENDA

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Agenda be approved with the following changes:

Add: DC-5 RESOLUTION SUPPORTING EQUAL BENEFITS & OPPOSING HB 4770 and 4771 (Added 9/19/11) and DC-6 RESOLUTION TO ACKNOWLEDGE THE INTERIM CITY ADMINISTRATOR (ADDED 9/19/11)

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

INT INTRODUCTIONS

None.

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**

1. Tom Partridge - Recall Governor Snyder. Protect Michigan's most vulnerable. Provide access to effective law enforcement, public transportation and affordable housing. (DB-2, DS-3, DC-2)

Tom Partridge, Ann Arbor resident, addressed Council urging the recall of Governor Snyder, protection of Michigan's most vulnerable people, providing access to effective law enforcement, public transportation and affordable housing.

2. Robert O'Neal - Public Art (C-2)

Robert O'Neal, 501 Onondaga, spoke in support of the existing public art projects in the City. He said that he hoped that Council would not pull back support of the arts at a time when the community could use the boost that public art can provide.

3. Atul Nanda - Recycle Bank (DS-2)

Atul Nanda, 911 Golflinks Rd., Ancaster, Ontario, Vice President of Recycle Bank, spoke in support of the City's contract with Recycle Bank and the value of the program to the City. He said that Ann Arbor residents ordered more than 2400 awards last month, the highest number of awards in any given month since the inception of the program last September.

4. Connie Brown - Public Art Program

Connie Brown, 208 Pineridge, spoke in support of the existing public art program. She said that studies have shown art is an important driver in healthy economies. Public art attracts visitors to cities and ensures art is available to all. Ms. Brown urged Council to preserve the arts program as it is because it is important to Ann Arbor.

5. John Kotarski - Public Art (C-2)

John Kotarski, 1230 Saunders Crescent, spoke in support of public art in Ann Arbor. Public art creates a sense of place and identity and makes good business sense, he stated.

6. Margaret Parker - Public Art (C-2)

Margaret Parker, 2972 Parkridge, the previous chair of the Ann Arbor Public Art Commission, spoke in support of the City's public art program and the City Hall art project. She spoke in opposition to any changes to the existing ordinance.

7. Mark Tucker - Public Art (C-2)

Mark Tucker, 1716 Shadford, co-founder of the Festifools event, spoke in support of the City's public art program. He said that the decision to create a Percent for Public Art Program in Ann Arbor was made by forward-thinking individuals in the community who understood the rewards of investing in a public art program.

8. Dori Edwards - Clark Rezoning (C-1)

Doris Edwards, 2904 Maplewood, spoke in support of the rezoning ordinance for Tree City Health Collective. Tree City Collective occupies the entire building at 712 S. State St. and has been in business for over a year without any problems with their neighbors, she stated.

9. Jill McGinn - Public Art (C-2)

Jill McGinn, 1715 Glastonbury, spoke in support of the small percentage of money spent on public projects being earmarked for public art. Public art is the art that our children have the most access to, she stated. It gives a sense of place and personality to Ann Arbor, and improves the community's quality of life.

10. Kermit Schlansker - Poverty

Kermit Schlansker, 2960 Marshall, addressed Council regarding poverty. He said that the affluence of American life will diminish through time as raw materials become scarce. Poor people will be faced with a jobless future in which the government is unable to take care of them. He said that we must find solutions for feeding and housing the poor and job creation is needed.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER DEREZINSKI*

Councilmember Derezinski reported on the Ann Arbor Public Art Commission, as the new Council liaison. He said that the commission is dedicated to the arts and reflects the very strongly-held feelings and value of art in this community. Councilmember Derezinski noted that he has only been a member for one month and will have more to report over time.

COUNCILMEMBER HIGGINS

Councilmember Higgins reported on the Budget Committee. The committee saw a presentation last week of the new staff project, A2 Open Book. She asked Tom Crawford, CFO, to give an update on the project.

Mr. Crawford said that A2 Open Book is accessible from the City's homepage, www.a2gov.org. It's a website that provides citizens with an easy way to look at the City's financial records, including the City checkbook. Using A2 Open Book, residents can look-up the City's revenues and expenditures by fund, as well as financial statements for this year and last year by service area.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman read an email from a constituent regarding the use of dedicated millage funds for public art. He also received a posting by a citizen regarding a court case from the State of Michigan; the City of South Haven vs. Van Buren County Board of Commissioners. Mr. Kunselman said that he does support public art, but does not support using dedicated voter millages for public art when the voters approved this money for other purposes, such as the street repair millage.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers submitted the following reports for information of Council:

MANAGING FALL LEAVES

With the cool temperatures of autumn, it's time to think of ways to manage fall leaves. Ann Arborites can choose to mulch their leaves on-site, set paper bags and compost carts of leaves at the curb for weekly pickup, or take advantage of free bulk leaf drop-off at the City's Compost Center at 4150 Platt Road. Please remember that the City no longer picks up loose leaves that have been raked into the street. Details on fall leaf management options, including the hours of the Compost Center, are provided online at www.a2gov.org/leaves.

SUSTAINABLE ECONOMIC DEVELOPMENT ACADEMY

A City of Ann Arbor team including Paul Krutko (SPARK), Martin Dober (Michigan Economic Development Corporation), Roger Bowser (Zingerman's), Mary Jo Callan (Washtenaw County, Community & Economic Development), Wendy Rampson (City Planning & Development Unit), and Matthew Naud (City Systems Planning Unit) participated with 12 other US cities in the Sustainable Economic Development Academy in Denver last week. The team identified opportunities to help local businesses be more sustainable by providing better access to existing city services, and strategies to link the growth of local food systems to job creation.

Mayor Hieftje welcomed the new city administrator.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 11-1061 An Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:567, 1:158 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Increase the Vesting Period and Final Average Compensation Period for Non-Union Employees Hired on or After July 1, 2011 (Ordinance No. ORD-11-17)

A public hearing was conducted on the proposed Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:567, 1:158 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Increase the Vesting Period and Final Average Compensation Period for Non-Union Employees Hired on or After July 1, 2011. Notice of public hearing was published on September 15, 2011.

Thomas Partridge, City resident, spoke in opposition to the proposed ordinance to amend the Employees Retirement System.

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

Held and Closed

- PH-2 11-0332** Resolution to Approve the Mill Creek Property Annexation, 1.17 Acres, East Side of Stone School Road North and South of Birch Hollow Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve the Mill Creek Property Annexation, 1.17 Acres, East Side of Stone School Road, North and South of Birch Hollow Drive. Notice of public hearing was published September 15, 2011.

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

Held and Closed

- PH-3 11-0931** Resolution to Direct City Staff to Begin the Process of Annexing Clusters of Township Properties within the City's Ultimate Boundary Area

A public hearing was conducted on the proposed Resolution to Direct City Staff to Begin the Process of Annexing Clusters of Township Properties within the City's Ultimate Boundary Area. Notice of public hearing was published September 15, 2011.

Thomas Partridge, City resident, spoke in opposition to the proposed resolution.

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

Held and Closed

- PH-4 11-1016** Resolution Establishing City Application Fee for Continuing Care Retirement Center License

Sponsors: Council Liquor License Review Committee

A public hearing was conducted on the proposed Resolution Establishing City Application Fee for Continuing Care Retirement Center License. Notice of public hearing was published September 18, 2011.

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

Held and Closed

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere responded to a citizen comment regarding the annexation of clusters of township islands. She said that she had spoken previously to the Ann Arbor Township Supervisor regarding annexations into the City and was told that Ann Arbor Township has been prepared for the proposed annexations for years; the township has made their budget based on the expectation that these clusters would be annexed into the City and that this does not create a significant hardship for Ann Arbor Township. She said that conversation eased her mind because it could be a significant issue for a township that is not prepared for the loss of properties.

A APPROVAL OF COUNCIL MINUTES

A-1 11-1178 Special Session of August 29, 2011 and Regular Session of September 6, 2011

A motion was made by Councilmember Higgins, seconded by Councilmember Derezinski, that the Special Session Minutes of August 29 and Regular Session Minutes of September 9, 2011 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 Hohnke, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 11-1031 Resolution to Approve a Purchase Order with Trojan Technologies Inc. for Ultraviolet Disinfection System Replacement Parts at the City's Wastewater Treatment Plant (\$35,000.00)
Enactment No: R-11-387

CA-2 11-1036 Resolution to Approve the Purchase of High Calcium Dust Quicklime from Mintek Lime for the Wastewater Treatment Plant, Bid No. ITB-4168A (\$75,000.00)
Enactment No: R-11-388

B ORDINANCES - SECOND READING

Passed on consent agenda

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

B-1 11-1061 An Ordinance to Amend Sections 1:552.1, 1:561, 1:562, 1:565, 1:567, 1:158 and 1:592 of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Increase the Vesting Period and Final Average Compensation Period for Non-Union Employees Hired on or After July 1, 2011 (Ordinance No. ORD-11-17)

DS-14 11-1179 Resolution Authorizing Summary Publication of Ordinance No. ORD-11-17 Amendments to Chapter 18, Employees Retirement System, Title I Of The Code of the City of Ann Arbor
Enactment No: R-11-389

C ORDINANCES - FIRST READING

C-1 11-1048 An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.13 Acre from O (Office District) to C1 (Local Business District), Clark Property, 1712 South State Street (CPC Recommendation: Denial - 0 Yeas and 9 Nays)

A motion was made by Councilmember Briere, seconded by Councilmember Higgins, that the ordinance be approved at first reading.

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Ordinance be postponed until October 3, 2011. On a voice vote, the Mayor declared the motion carried.

C-2 11-1193 An Ordinance to Amend Sections 1:832 through 1:835 of Chapter 24, Title I (Public Art) of the Code of the City of Ann Arbor

Sponsors: Briere

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at first reading.

A motion was made by Councilmember Higgins, seconded by Councilmember Derezhinski, that the Ordinance be Postponed until November 21, 2011. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 11-1016 Resolution Establishing City Application Fee for Continuing Care Retirement Center License

Sponsors: Council Liquor License Review Committee

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

Enactment No: R-11-390

DC-2 11-1181 Resolution to Approve Agreement for the Sale of Strip of Land to the Ann Arbor Transportation Authority and Appropriate Funds (portion of 350 S. Fifth Ave.) (\$90,000.00) (8 Votes Required)

Sponsors: Hieftje

A motion was made by Councilmember Teall, seconded by Councilmember Briere, 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-11-391

DC-3 11-1184 Resolution to Approve Amendment No. 1 to the Agreement between the City of Ann Arbor and City of Ypsilanti Creating the Ann Arbor/Ypsilanti Local Development Finance Authority

Sponsors: Higgins and Rapundalo

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

Enactment No: R-11-392

DC-4 11-1192 Resolution of Intent on the Use and Administration of Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage Funds

A motion was made by Councilmember Briere, seconded by Councilmember Anglin, that the resolution be approved.

The following friendly amendments were offered and accepted:

**ATTACHMENT A
STREETS, BRIDGES AND SIDEWALKS FUND USE AND ADMINISTRATION
GUIDELINES**

I. 1. 2nd bullet: construction AND RECONSTRUCTION of pedestrian refuge islands;

II. 4. Funds from the 2012 Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage that are used for street and/or bridge resurfacing and repair will be tracked and accounted for separately. [from funds from the 2012 Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage will be tracked and accounted for separately.]

I. 1. The 2012 Street and Bridge Resurfacing and Reconstruction Millage may be used for one or more of the following STREET AND BRIDGE PROJECTS INCLUDING WITHOUT LIMITATION:

ALL CAPS INDICATE NEW LANGUAGE.

[Brackets] indicate deleted language.

11-1192 Resolution of Intent on the Use and Administration of Street and Bridge Resurfacing and Reconstruction and Sidewalk Repair Millage Funds

A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Resolution be postponed until 10/3/2011. On a voice vote, the Mayor declared the motion carried.

DC-5 11-1215 Resolution Supporting Equal Benefits & Opposing HB 4770 And 4771

Sponsors: Smith

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

Enactment No: R-11-393

DC-6 11-1216 Resolution to Acknowledge the Interim City Administrator

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

Enactment No: R-11-394

DB New Business - Boards and Commissions:

DB-1 11-0332 Resolution to Approve the Mill Creek Property Annexation, 1.17 Acres, East Side of Stone School Road North and South of Birch Hollow Drive (CPC Recommendation: Approval - 9 Years and 0 Nays)

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

Enactment No: R-11-395

DB-2 11-1024 Resolution to Approve Changes to Ann Arbor City Planning Commission Bylaws

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

Enactment No: R-11-396

RECESS

Mayor Hieftje declared a recess at 9:13 p.m. and reconvened the meeting at 9:30 p.m.

REOPEN AGENDA

A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Agenda be reopened. On a voice vote, the Mayor declared the motion carried.

Add Closed Session Regarding Attorney/Client Privileged Communication

A motion was made by Councilmember Hohnke, seconded by Councilmember Derezinski, that a Closed Session to discuss Attorney/Client Privileged Communication be added to the Agenda. On a voice vote, the Mayor declared the motion carried.

DS Old Business - Staff:

DS-1 11-0968 Resolution to Approve a Contract with Kristel Cleaning, Inc. for Janitorial Service at the Municipal Center, Wheeler Service Center, Water Treatment Plant, Senior Center and Various Smaller Locations (\$580,680.00) ITB # 4155

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

Enactment No: R-11-397

CLOSED SESSION

A motion was made by Councilmember Taylor, seconded by Councilmember Hohnke, that Council enter into Closed Session to discuss Attorney/Client privileged communication under the Michigan Open Meetings Act, set forth or incorporated in MCLA 15.268 (C), (E), and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried: (The meeting recessed at 9:33 p.m.)

Yeas: 10 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 0

Absent: 1 - Councilmember Higgins

MEETING RECONVENED

A motion was made by Councilmember Taylor, seconded by Councilmember Rapundalo, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 9:48 p.m.

DS-2 11-0971

Resolution Directing Staff to Negotiate "Hybrid" Contract Amendment with RecycleRewards

Sponsors: Briere, Hohnke, Kunselman and Higgins

A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the Resolution be approved.

Enactment No: R-11-398

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

Substitute previous resolution language with the following:

RESOLUTION DIRECTING STAFF TO NEGOTIATE "HYBRID" CONTRACT AMENDMENT WITH RECYCLEREWARDS

WHEREAS, THERE HAS BEEN NO DIRECT EVIDENCE SHOWING THE IMPACT OF THE RECYCLEREWARDS INCENTIVE PROGRAM ON RECYCLING RATES;

WHEREAS, MUCH OF THE INCREASE IN RECYCLING RATES IS LIKELY DUE TO THE INTRODUCTION OF RECYCLING CARTS AND THE SINGLE STREAM RECYCLING PROGRAM;

WHEREAS, RECYCLEREWARDS HAS INDICATED A WILLINGNESS TO CHANGE TO A "HYBRID" PAYMENT SYSTEM, WITH A REDUCTION IN THEIR BASE FEE, AND THE INTRODUCTION OF A TONNAGE-BASED PAYMENT; AND

WHEREAS, A TONNAGE-BASED PAYMENT WOULD PROVIDE AN INCENTIVE FOR RECYCLEREWARDS TO INCREASE RECYCLING RATES, AND WOULD BE MORE EQUITABLE FOR THE CITY;

RESOLVED, THAT STAFF BE DIRECTED TO NEGOTIATE A CONTRACT AMENDMENT WITH RECYCLEREWARDS THAT WOULD REDUCE THE BASE PER-HOUSEHOLD FEE BY A MINIMUM OF 33%;

RESOLVED, THAT STAFF INCLUDE A PER-TON PAYMENT TO RECYCLEREWARDS NOT TO EXCEED \$50 PER TON, ONLY TO BE APPLIED TO CITY RECYCLING TONNAGES THAT ARE GREATER THAN WHAT WAS COLLECTED DURING FISCAL YEAR 2011;

RESOLVED, THAT THE TOTAL PAYMENTS TO RECYCLEREWARDS NOT EXCEED \$150,000.00 IN ANY FISCAL YEAR; AND

RESOLVED, THAT STAFF RETURN TO COUNCIL WITH THE CONTRACT AMENDMENT NO LATER THAN THE NOVEMBER 10, 2011 COUNCIL MEETING.

**Note: All Caps indicate new language.
On a voice vote, the Mayor declared the motion carried.**

11-0971

Resolution Directing Staff to Negotiate "Hybrid" Contract Amendment with RecycleRewards

Sponsors: Briere, Hohnke, Kunselman and Higgins

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

Enactment No: R-11-398

DS New Business - Staff:

- DS-3 11-0998** Resolution Confirming Application for and Acceptance and Appropriation of the 2011 COPS Hiring Program (CHP) Grant from the United States Department of Justice, Office of Community Oriented Policing Services
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-399
- DS-4 11-1142** Resolution to Accept and Appropriate Emergency Management Performance Grant Funds and Approve FY 2011 Funding Assistance Grant Agreement for Ann Arbor Emergency Management Program (\$28,802.00) (8 Votes Required)
- A motion was made by Councilmember Teall, 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-11-400
- DS-5 11-1058** Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Picometrix LLC
- A motion was made by Councilmember Higgins, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-401
- DS-6 11-1123** Resolution Setting a Public Hearing on Arbor Networks, Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2008-020
- A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-402
- DS-7 11-1043** Resolution of Intent to Establish an Energy Financing District and a Property Assessed Clean Energy Program and Set a Public Hearing
- A motion was made by Councilmember Hohnke, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-403
- DS-8 11-1035** Resolution to Approve the Purchase of High Calcium Pebble Quicklime from Huron Lime, Inc. for the Wastewater Treatment Plant, Bid No. ITB-4168A (\$140,000.00)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-404

- DS-9 11-1037** Resolution Authorizing a Contract with Big Truck Rental, LLC for the Rental of Eight Rear Load Refuse Trucks (\$138,000.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-405
- DS-10 11-0931** Resolution to Direct City Staff to Begin the Process of Annexing Clusters of Township Properties within the City's Ultimate Boundary Area
- A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-406
- DS-11 11-1143** Resolution Accepting Easement for Storm Management Activities and Systems from All Property Owners of Hillwood Subdivision No. 2 (8 Votes Required)
- A motion was made by Councilmember Derezinski, 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-11-407
- DS-12 11-1047** Dexter Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment Project - Resolution 1 (8 Votes Required)
- A motion was made by Councilmember Hohnke, seconded by Councilmember Anglin, 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-11-408
- DS-13 11-1182** Resolution to Approve the 2009-2013 Ann Arbor Police Officers Association Collective Bargaining Agreement as Specified in the Act 312 Award (8 Votes Required)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Higgins, 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-11-409

E COMMUNICATIONS FROM THE MAYOR

E-1 11-1210 Appointments - Confirmations

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointment be approved as a one-step process:

Medical Marijuana Advisory Board

*Gene Ragland
2450 Whitmore Lake Rd.
Ann Arbor, MI 48105-1157
Term: October 3, 2011- October 3, 2014*

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the appointment of Gene Ragland to the Medical Marijuana Advisory Board be approved in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

11-1210 Appointments - Confirmations

Mayor Hieftje placed the following nominations on the table for approval at a later date:

Human Rights Commission

*Andre Wilson (Re-appointment)
729 Brooks St.
Ann Arbor, MI 48103
Term: October 3, 2011- October 31, 2014*

*Leslie Krauz Stambaugh (Re-appointment)
1940 Ridge Ave.
Ann Arbor, MI 48104
Term: October 3, 2011-October 31, 2014*

Human Rights Commission appointments referred to the City Council due back on October 3, 2011.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER SMITH*

Councilmember Smith announced that there are two openings on the Human Rights Commission and encouraged City residents to apply. She also announced that the Video Surveillance Ordinance that she is working on is under review by the City Attorney's Office and she hopes to present it to Council at the next meeting.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman said that he is a member of the Audit Committee and that there has not yet been a meeting regarding the FY10 Audit. He said that he would be trying to meet with the auditor to discuss the FY10 Audit and he stated he hopes there is a meeting soon regarding the FY11 Audit.

Councilmember Kunselman reminded Council that he had previously volunteered to serve on the Housing Commission as the Council Representative.

MAYOR HIEFTJE

Mayor Hieftje said that two councilmembers have stepped forward to serve as a Liaison to the Housing Commission and that he is putting Councilmember Teall's name forward to serve as the Council's liaison to the Housing Commission. Mayor Hieftje thanked Councilmember Kunselman for his willingness to serve as well.

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo responded to Councilmember Kunselman's comments regarding the Audit Committee. He stated that the decision was made to not call a meeting of the Audit Committee for the FY10 audit because there was only a minor issue related to that audit. The full audit was presented to all of Council for discussion and Council accepted and passed it. Councilmember Rapundalo stated that the audit committee meets essentially once maybe twice, before the Audit begins to set basic parameters, ask questions of the auditor and then again subsequent to the auditor issuing his report. He said the report for FY11 is still pending from the auditor at this time.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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 Taylor, seconded by Councilmember Smith, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- H-1** 11-1187 West Park Storm Sewer Analysis and Repair Project from OHM dated August 30, 2011
- H-2** 11-1189 Communication from Washtenaw County Parks and recreation Commission regarding Connecting Communities Initiative

I The following minutes were received for file:

- I-1** 11-0934 June 7, 2011 City Planning Commission Meeting Minutes
- I-2** 11-1003 July 7, 2011 City Planning Commission Meeting Minutes
- I-3** 11-1018 August 3, 2011 City Planning Commission Meeting Minutes
- I-4** 11-1120 Council Administration and Labor Committee Meeting Minutes of August 22, 2011

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Kathy Griswold, 3565 Fox Hunt, said that City staff exceeded expectations for the Kiwanis lease at 415 W. Washington. Regarding the King School sidewalk, she urged the City to take action. Ms. Griswold also expressed concern about an accident at the Windsong development that was due to the limited visibility around the landscaping at the entrance.

Thomas Partridge asked that Council give attention to the most vulnerable and needy residents in the City regarding transportation.

Michael Benson, 2nd ward resident, thanked Council for their service. He suggested that when Council review their Rules in November, they rethink the public speaking priorities. He suggested that priority be given to different topics and to those who haven't previously spoken.

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

None.

ADJOURNMENT

A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:54 p.m.

11-1233 City Council Emails - September 19, 2011

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, SEPTEMBER 19, 2011 AT 7:00 P.M.

REPLAYS: TUESDAY, SEPTEMBER 20, 2011 AT 10:00 A.M. AND FRIDAY, SEPTEMBER 23, 2011 AT 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary