

City of Ann Arbor

*100 N. Fifth Avenue
Ann Arbor, MI 48104
www.a2gov.org*



Action Minutes

Monday, May 19, 2008

7:00 PM

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

City Council

CALL TO ORDER

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:10 p.m. in the City Hall Council Chamber, 100 N. Fifth Ave, Ann Arbor, Michigan.

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: 10 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere

Absent: 1 - Councilmember Margie Teall

APPROVAL OF AGENDA

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the agenda be approved as presented. 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 HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Gwen Nystuen - Park Budget (DS-8)

Gwen Nystuen, 1016 Olivia, addressed Council regarding the Park Budget. She urged Council to follow the Park Advisory Commission's recommendations to provide General Funds to the Park Budget.

2. Jim Koli - Broadway Historic District (B-1)

Jim Koli, 7755 Warner, Saline, Michigan, addressed Council regarding the Broadway Historic District Ordinance. He asked that the Ordinance be tabled to allow him time to work with Council and others interested in historic preservation to determine a solution that would allow him to stay in business and comply with the standards.

3. Brigit Macomber - 08-09 Budget and Golf Course Funding (DS-8)

Brigit Macomber, 2036 Delafield, addressed Council regarding the proposed revision to the 08-09 Budget to use approximately \$1,000,000 of millage funds to improve Leslie and Huron Hills Golf Courses. She urged Council to pass a resolution acting on the Park Advisory Commission's recommendation to not transfer Parks General Fund money or millage funds to the City golf courses until city taxpayers have been heard and to also support and include in the resolution PAC's recommendation for an alternative use study of the Huron Hills Property.

4. Ken Koral - Proposed Historic District (B-1)

Ken Koral, 1643 Broadway St., thanked Council for passing the first Broadway Historic District. He also spoke in support of the proposed Broadway Historic District ordinance on tonight's agenda. He asked Council to continue to look for ways to preserve historic properties in Ann Arbor.

5. Thomas Partridge - Campaign to create a new bureau of cooperative government in Ann Arbor, Washtenaw County and Michigan. An agenda for new political and governmental environment.

Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding a campaign to create a new bureau of cooperative government in Ann Arbor, Washtenaw County, and Michigan.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 08-0459**

Resolution to Approve Tierra on Ashley Site Plan and Development Agreement, 0.11 Acre, 200 South Ashley Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed resolution to approve the Tierra on Ashley Site Plan and Development Agreement, 0.11 acre, located at 200 South Ashley Street. Notice of public hearing was published May 11, 2008.

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

Enactment No: R-08-218

PH-2 08-0466

Resolution Approving an Increase in the Standard Taximeter Rates for the City of Ann Arbor

A public hearing was conducted on the proposed resolution approving an increase in the Standard Taximeter Rates for the City of Ann Arbor. Notice of public hearing was published May 18, 2008.

The following people spoke in support of the proposed taxi meter rate increase:

Richard Runtch (sp), taxicab driver for Yellow Cab

Thomas Crawford, Ann Arbor resident and cab driver for Yellow Cab

Scott, resident of Ann Arbor and cab driver for Yellow Cab

Unidentified cab driver for Yellow Cab

Mark McGenty (sp)

Owner of Ann Arbor Taxi Transport

The following people spoke in opposition:

Tom Partridge, 4220 Eyrie Dr., asked Council to postpone the resolution and bring it back with more details and justification regarding the proposed increase.

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

Enactment No: R-08-223

COMMUNICATIONS FROM COUNCIL

Councilmember Rapundalo - LDFA SmartZone Board

Councilmember Rapundalo announced that appointments for the LDFA Smart Zone are being submitted tonight for review by Council. The resolution to confirm the appointments will be presented at the next regular session of Council scheduled for June 2, 2008 under the Motions and Resolutions section of the agenda.

A APPROVAL OF COUNCIL MINUTES

A-1 08-0501 Regular Session Minutes of May 5, 2008

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the regular session minutes of May 5, 2008 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 Kunselman, seconded by Councilmember Higgins, that the following Consent agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- CA-1 08-0105** Resolution Authorizing Sanitary Sewer Improvement Charge for 55 Westover Avenue (\$4,835.60)
Enactment No: R-08-211
- CA-2 08-0453** Resolution to Award a Purchase Order for Water Main Materials and Supplies to ETNA Supply Company - Group 1 (\$64,055.37)
Enactment No: R-08-212
- CA-3 08-0457** Resolution to Award a Purchase Order for Water Main Materials and Supplies to HD Supply Waterworks - Group 2 and Group 4 (\$49,441.70)
Enactment No: R-08-213
- CA-4 08-0467** Resolution to Accept Board of Insurance Administration Meeting Minutes of April 25, 2008
A motion was made by Councilmember Lowenstein, seconded by Councilmember Greden, that the resolution be approved.
Enactment No: R-08-215
A motion was made by Councilmember Lowenstein, seconded by Councilmember Greden, that the resolution be amended as follows:
Postpone approval of the following claim:
**CC025-08 John Hritz and Angela Barber
Sewer Backup Discussed by Sarah Singleton, Management Assistant**
On a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-215
The question being, the motion made by Councilmember Lowenstein, seconded by Councilmember Greden, as amended, on a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-215
- CA-5 08-0479** Resolution to Approve the Transfer of Location of a Class C Liquor Licensed business held in Conjunction with a New SDM Liquor License located at 990 E. Eisenhower - D/B/A Whole Foods Market
Enactment No: R-08-214
- CA-6 08-0512** Resolution to Establish June 7, 2008 as the Caucus Date of the Ann Arbor Libertarian Party for the Purpose of Nominating Candidates for the November 4, 2008 General Election Ballot
A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-216

B ORDINANCE - SECOND READING

B-1 08-0285 An Ordinance to Amend the Code of the City of Ann Arbor by Adding a New Section which shall be Designated as Section 8:425.15 of Chapter 103 (Historic Preservation) of Title VIII of said Code to Establish the 1001-1013 Broadway Historic District

A motion was made by Councilmember Briere, seconded by Councilmember Lowenstein, that the ordinance be adopted at second reading.

Enactment No: ORD-08-12

A motion was made by Councilmember Briere, seconded by Councilmember Suarez, that the Ordinance be tabled. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-12

C ORDINANCE - FIRST READING

C-1 08-0489 An Ordinance to Amend Sections 2:61, 2:62, 2:63, 2:64, 2:65 and 2:69 of Chapter 29 (Increase Water, Sewer and Stormwater Rates) of Title II of the Code of the City of Ann Arbor - Water, Sewer and Stormwater Rate Adjustments due to Increased Costs of Operation and Maintenance (Ordinance No. ORD-08-20)

*** Staff to send clarification to City Council regarding the customer service charge.*

(Councilmember Teall arrived at 8:05 p.m.)

A motion was made by Councilmember Kunselman, seconded by Councilmember Lowenstein, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-20

ROLL CALL

Present: 11 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere

D MOTIONS AND RESOLUTIONS**DC New Business - Council:**

DC-1 08-0490 Resolution to Appoint a Member of the City of Ann Arbor Environmental Commission

Sponsors: Teall

A motion was made by Councilmember Teall, seconded by Councilmember Higgins, that the Resolution be approved as a one-step process to nominate and appoint Summer Tucker to the Environmental Commission. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-08-217

DC-2 08-0543

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Everyday Cook, Inc.

Sponsors: Briere, Suarez, Lowenstein and Anglin

(Deleted on 5/19/08)

DB New Business - Boards and Commissions:

DB-1 08-0459

Resolution to Approve Tierra on Ashley Site Plan and Development Agreement, 0.11 Acre, 200 South Ashley Street (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

Enactment No: R-08-218

DS New Business - Staff:

DS-1 08-0458

Resolution to Award a Construction Contract to Pamar Enterprises, Inc. (Bid No. 3932, \$2,324,312.00) for the Huron River Drive Improvements Project and to Amend the Project Budget (\$2,482,649.00) (8 Votes Required)

A motion was made by Councilmember Briere, seconded by Councilmember Higgins, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, with Councilmember Rapundalo away from the table, thus satisfying the eight-vote requirement.

Enactment No: R-08-219

DS-2 08-0468

Resolution to Approve a Contract with Trust Thermal Abatement Inc. for the Abatement of Asbestos Containing Material and Re-Application of Fireproofing Material on the 7th Floor of City Hall (\$181,460.00)

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

Enactment No: R-08-220

DS-3 08-0460

Resolution for Approval of Professional Services Agreement with CDM Michigan Inc., (\$458,172.00) for the Water Distribution System Master Plan and Hydraulic Model Upgrade Project

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

Enactment No: R-08-221

DS-4 08-0431 Resolution to Endorse and Implement "The Green Places: Open Spaces Plan for Coordinated Parkland and Open Space" and Specific Action Items

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

Enactment No: R-08-222

DS-5 08-0466 Resolution Approving an Increase in the Standard Taximeter Rates for the City of Ann Arbor

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.

Enactment No: R-08-223

RECESS

The Mayor declared a recess at 8:21 p.m. and reconvened the meeting at 8:32 p.m.

DS-6 08-0326 Resolution to Approve Fiscal Year 2009 Fee Adjustments for Public Services Area - Project Management, Customer Service, and Field Operations

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-08-224

DS-7 08-0332 Resolution to Approve FY 09 Fee Adjustments for Safety Services Area - Fire Department Service Fee Schedule

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-08-225

DS-8 08-0502 Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2009

A motion was made by Councilmember Easthope, seconded by Councilmember Rapundalo, that the Resolution be approved.

Enactment No: R-08-226

A motion was made by Councilmember Greden, seconded by Councilmember Lowenstein, that the Resolution be Amended as follows:

AMENDMENT TO THE FY 2009 BUDGET TO INCREASE FUNDING FOR MAJOR AND LOCAL STREET FUNDS FOR REPAIR OF SEVERE WINTER ROAD DAMAGE

WHEREAS, THE MAJOR AND LOCAL STREET FUNDS ARE BUDGETED BASED ON A NORMAL OR AVERAGE WINTER BUT, DUE TO THE SEVERE 2007-2008 WINTER SEASON, THE PROPOSED FY 2009 BUDGET LACKS ADEQUATE FUNDS TO COMPLETE ALL OF THE ROAD RESTORATION WORK NECESSARY TO RECOVER FROM THE 2007-2008 WINTER;

RESOLVED, THAT THE MAJOR STREET FUND EXPENDITURES BUDGET IN THE FY 2009 BUDGET BE INCREASED BY \$217,000.00 AND THE LOCAL STREET FUND EXPENDITURE BUDGET BE INCREASED BY \$50,000.00 TO PROVIDE THE ADDITIONAL FUNDING REQUIRED TO REPAIR THE DAMAGE TO THE ROADS CAUSED BY THE SEVERE 2007-2008 WINTER SEASON, WITH A REVENUE SOURCE OF MAJOR AND LOCAL STREET PRIOR YEAR FUND BALANCES.

Submitted by: Councilmembers Leigh Greden, Margie Teall, Chris Easthope and Marcia Higgins

DATE: MAY 19, 2008

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

The following administrative amendments were made:

...RESOLVED, That Art[s] in Public Places Fund budget [may] be [adopted] APPROPRIATED without regard to fiscal year;

RESOLVED, That the Technology Improvement projects in the amount of \$1,451,140 [may] be appropriated without regard to fiscal year; ...

Enactment No: R-08-226

A motion was made by Councilmember Rapundalo, seconded by Councilmember Higgins, that the Resolution be Amended as follows:

2. LDFA BUDGET

IN EFFECT THE FOLLOWING PROPOSED AMENDMENT WOULD ALLOCATE THE DIFFERENCE BETWEEN WHAT THE LDFA APPROVED AND WHAT IS NOTED BELOW TO A FUND BALANCE. THIS WOULD REQUIRE THE LDFA TO COME BACK TO THE CC FOR APPROVAL ON SIGNIFICANT EXPENDITURES OR LOAN REQUESTS. AS IT STANDS THE LDFA BUDGET SIMPLY EARMARKS THE DIFFERENCE AS UNALLOCATED EXPENDITURES AND ALLOWS THAT BODY TO APPROVE EXPENDITURES/LOANS WITHOUT OUR AGREEMENT.

AMENDMENT TO THE FY 2009 BUDGET TO INCREASE REVENUE AND FUNDING FOR THE SMARTZONE LOCAL DEVELOPMENT FINANCE AUTHORITY FUND, PROPOSED BY THE SMARTZONE LDFA BOARD. WHEREAS, THE CITY ADMINISTRATOR'S RECOMMENDED FY 2009 BUDGET INCLUDES THE SMARTZONE LOCAL DEVELOPMENT FINANCING AUTHORITY FUND, A COMPONENT UNIT OF THE CITY'S, WITH A REVENUES AND EXPENDITURES BUDGET OF \$795,400.00, REPRESENTING THE ACCEPTED SECOND YEAR OF THE FY 2008-2009 TWO-YEAR FISCAL PLAN, WHEREAS, THE SMARTZONE LDFA BOARD VOTED ON MAY 1, 2008 TO FORWARD THEIR RECOMMENDED BUDGET TO THE CITY OF ANN ARBOR COUNCIL, BASED ON CURRENT PROJECTED FY 2009 TIF REVENUES AND FUNDING LEVELS;

RESOLVED, THAT THE SMARTZONE LOCAL DEVELOPMENT FINANCING AUTHORITY REVENUE BUDGET BE INCREASED BY \$155,092.00 TO \$950,492.00, AND THE EXPENDITURE BUDGET BE INCREASED BY \$139,220.00 TO \$934,620.00, WHICH REPRESENTS THE CURRENT FY 2009 PROJECTED TAX INCREMENT FINANCING REVENUES WHILE RETAINING EXISTING RESERVE LEVELS.

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO DECREASE THE GENERAL FUND PARKS AND RECREATION BUDGET FOR COMMISSION ON ART IN PUBLIC PLACES BY \$7,000.00 AND TRANSFER THE FUNDING TO THE PARKS AND RECREATION BUDGET FOR THE CIVIC BAND

WHEREAS, \$7,000.00 IN FUNDING FOR THE COMMISSION FOR ART IN PUBLIC PLACES IS INCLUDED IN THE PROPOSED FY 2009 GENERAL FUND PARKS & RECREATION BUDGET;

WHEREAS, THE COMMISSION FOR ART IN PUBLIC PLACES WILL NOW OPERATE AS THE ART IN PUBLIC PLACES COMMITTEE VIA THE ART IN PUBLIC PLACES ORDINANCE AND HAVE AN INDEPENDENT FUNDING SOURCE THAT FAR EXCEEDS THE \$7,000.00 INCLUDED IN THE GENERAL FUND BUDGET;

RESOLVED, THAT THE \$7,000.00 IN THE GENERAL FUND PARKS AND RECREATION BUDGET IDENTIFIED FOR THE COMMISSION FOR ART IN PUBLIC PLACES BE REALLOCATED TO THE PARKS AND RECREATION BUDGET TO SUPPORT THE CIVIC BAND.

**Submitted by: Councilmembers Marcia Higgins, Stephen Rapundalo, Leigh Greden, Margie Teall and Joan Lowenstein
Date: May 19, 2008**

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO REALLOCATE FUNDING FOR ART IN PUBLIC PLACES TO ESTABLISH AN OPERATING BUDGET

WHEREAS, THE RECOMMENDED FY 2009 BUDGET INCLUDES AN APPROPRIATION FOR ART IN PUBLIC PLACES CAPITAL INVESTMENTS PURSUANT TO THE RECENTLY-ENACTED CITY ORDINANCE FOR FUNDING ART IN PUBLIC PLACES;

WHEREAS, AN OPERATING BUDGET WILL BE NECESSARY FOR THE START-UP EXPENDITURES AND ADMINISTRATIVE COSTS OF THE NEWLY CREATED COMMISSION FOR ART IN PUBLIC PLACES;

RESOLVED, IN ANTICIPATION OF THE NEEDS OF THE COMMISSION FOR ART IN PUBLIC PLACES, 8% (\$42,437.00) OF THE \$530,457.00 ALLOCATED FOR CAPITAL INVESTMENTS IS TO BE REALLOCATED WITHIN THE ART IN PUBLIC PLACES FUND FOR ESTABLISHMENT OF AN OPERATING BUDGET FOR ADMINISTRATIVE COSTS ASSOCIATED WITH ART IN PUBLIC PLACES PROGRAM.

**Submitted by: Councilmember Margie Teall
Date: May 19, 2008**

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO INCREASE THE FUNDING FOR GENERAL FUND COMMUNITY EVENTS BUDGET TO SUPPORT THE ANN ARBOR SUMMER FESTIVAL

WHEREAS, THE CITY COUNCIL DESIRES TO PROVIDE MORE FUNDING TO THE ANN ARBOR SUMMER FESTIVAL THROUGH THE COMMUNITY EVENTS BUDGET;

RESOLVED, THAT THE FY 2009 GENERAL FUND COMMUNITY EVENTS BUDGET BE INCREASED BY \$15,000 AND THE \$15,000 BE USED TO FUND THE ANN ARBOR SUMMER FESTIVAL, WITH A REVENUE SOURCE OF GENERAL FUND PRIOR YEAR FUND BALANCE.

**Submitted by: Councilmembers Chris Easthope and Leigh Greden
Date: May 19, 2008**

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO INCREASE THE FUNDING FOR PUBLIC SERVICES STORMWATER SYSTEM FUND FOR PUBLIC EDUCATION ON STORMWATER ISSUES

WHEREAS, THE COMMUNITY SERVICES AREA PARKS AND RECREATION UNIT PROVIDES APPROXIMATELY \$85,000.00 IN SERVICES FOR STORMWATER EDUCATIONAL OPPORTUNITIES TO THE PUBLIC, WHICH REQUIRES REIMBURSEMENT FROM THE PUBLIC SERVICES STORMWATER SYSTEM FUND;

RESOLVED, THAT THE FY 2009 PUBLIC SERVICES STORMWATER FUND OPERATIONS & MAINTENANCE EXPENDITURE BUDGET BE INCREASED BY \$85,000.00, WITH A REVENUE SOURCE OF STORMWATER SYSTEM FUND PRIOR YEAR FUND BALANCE, TO FUND COMMUNITY SERVICES PARKS AND RECREATION SERVICES PROVIDED FOR PUBLIC EDUCATION ON STORMWATER ISSUES.

Submitted By: Councilmembers Leigh Greden, Margie Teall, Chris Easthope and Marcia Higgins

Date: MAY 19, 2008

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

Enactment No: R-08-226

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

WHEREAS, THE DEMAND FOR HUMAN SERVICES IS SIGNIFICANTLY OUT PACING THE ABILITY OF MANY NON-PROFITS TO PROVIDE NECESSARY SERVICES; AND

WHEREAS, REQUESTS FOR SERVICES HAVE INCREASED BY SIGNIFICANT PERCENTAGES IN RECENT YEARS WHILE FUNDING FROM PUBLIC AND PRIVATE SOURCES HAS BEEN SEVERELY IMPACTED BY THE ECONOMY; AND

WHEREAS, DECISIONS BY PRIVATE AND PUBLIC FUNDING SOURCES, INCLUDING THE UNITED WAY AND THE STATE OF MICHIGAN, HAVE REDUCED AVAILABLE FUNDS TO MANY NON-PROFITS, AND

WHEREAS, THE CITY OF ANN ARBOR HAS MADE A COMMITMENT TO COLLABORATE WITH WASHTENAW COUNTY, POOLING RESOURCES AND STAFF TO MAXIMIZE THE IMPACT OF BUDGET DOLLARS,

RESOLVED THAT THE HUMAN SERVICES BUDGET WILL BE INCREASED BY \$22,765.00 FROM GENERAL FUNDS; THIS AMOUNT WILL BE EARMARKED FOR PROGRAMS AND NOT FOR STAFF SALARIES AND FRINGE BENEFITS. AT A TIME WHEN ALL EXPENSES ARE INCREASING ACROSS COST CENTERS, FROM FOOD PANTRIES TO FUEL COSTS, THE CITY OF ANN ARBOR SHOULD NOT DECREASE FUNDING, SO THIS AMOUNT REPRESENTS AN INCREASE OF 1.8% OF THE TOTAL PROGRAMMATIC FUNDING FOR NON-PROFITS.

Submitted by: Councilmember Sabra Briere

Date: May 19, 2008

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO APPROPRIATE FUNDS FOR THE ECONOMIC DEVELOPMENT FUND

WHEREAS, THE CITY COUNCIL AUTHORIZED THE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT FUND IN FY 2007 FOR THE PURPOSE OF FUNDING ECONOMIC DEVELOPMENT INCENTIVES WITHIN THE ANN ARBOR COMMUNITY,

WHEREAS, THE CITY HAS COMMITTED TO PAY FOR UP TO 400 PARKING SPACES FOR UP TO FOUR YEARS (DECEMBER 2010) FOR GOOGLE EMPLOYEE PARKING AT APPROXIMATELY \$2,029,017;

RESOLVED, THE CITY COUNCIL APPROPRIATE \$600,000 IN FY09 IN THE ECONOMIC DEVELOPMENT FUND TO PAY FOR GOOGLE PARKING, AND THAT THE SOURCE OF FUNDING FOR THOSE EXPENDITURES BE USE OF ECONOMIC DEVELOPMENT FUND BALANCE.

Submitted by: Councilmember Marcia Higgins
Date: May 19, 2008

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO DECREASE THE EXPENDITURE TRANSFER OUT FOR THE GENERAL FUND AND DECREASE THE REVENUE TRANSFER IN FOR THE GOLF ENTERPRISE FUND FOR THE PAY-OFF OF THE GOLF FUND'S ACCUMULATED CASH DEFICIT TO BE APPROPRIATED IN FY 2008 (8 VOTE).

WHEREAS, THE FY 2009 RECOMMENDED BUDGET INCLUDES THE TRANSFER OF \$1,647,137 FROM THE GENERAL FUND TO THE GOLF ENTERPRISE FUND TO PAY-OFF THE GOLF FUND'S ACCUMULATED CASH DEFICIT,

WHEREAS, COUNCIL HAS BEEN ADVISED BY STAFF THAT THE WRITE-OFF SHOULD OCCUR IN FY 2008;

RESOLVED, THAT THE FY 2008 GENERAL FUND NON-DEPARTMENTAL SERVICE UNIT EXPENDITURE BUDGET BE INCREASED BY \$1,647,137.00, WITH A CORRESPONDING INCREASE IN THE USE OF GENERAL FUND BALANCE.

RESOLVED, THAT THE FY 2009 GENERAL FUND NON-DEPARTMENTAL SERVICE UNIT EXPENDITURE BUDGET BE DECREASED BY \$1,647,137.00, WITH A CORRESPONDING DECREASE IN THE USE OF GENERAL FUND BALANCE.

RESOLVED, THAT THE GOLF ENTERPRISE FUND REVENUE BUDGET BE DECREASED BY \$1,647,137.00 TO REMOVE THE GENERAL FUND TRANSFER AND TO INCREASE THE GOLF FUND'S USE OF FUND BALANCE BY \$689,583.00 TO FUND FY 2009 DEFICIT.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-08-226

A motion was made by Councilmember Rapundalo, seconded by Councilmember Kunselman, that the Resolution be Amended.

DECREASE THE FUNDING FOR THE GOLF ENTERPRISE FUND FOR THE ASSESSMENT FOR ALTERNATIVE USES OF THE HURON HILLS GOLF COURSE.

WHEREAS, THE COUNCIL DESIRES TO IMPLEMENT THE GOLF TASK FORCE RECOMMENDATION TO ELIMINATE THE \$50,000.00 FUNDING FOR THE ASSESSMENT FOR ALTERNATIVE USES OF THE HURON HILLS GOLF COURSE;

RESOLVED, THAT THE GOLF ENTERPRISE FUND EXPENDITURE BUDGET BE DECREASED BY \$50,000.00, WITH A CORRESPONDING REVENUE DECREASE FROM THE GOLF ENTERPRISE FUND BALANCE.

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

Enactment No: R-08-226

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

RESOLVED, THAT FUNDING BE CONTINUED FOR PROJECT GROW IN THE AMOUNT OF \$7,000.00.

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

Enactment No: R-08-226

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

AMENDMENT TO THE FY 2009 BUDGET TO IMPLEMENT THE GOLF TASK FORCE RECOMMENDATIONS.

WHEREAS, CITY COUNCIL RECEIVED RECOMMENDATIONS FROM THE GOLF COURSES ADVISORY TASK FORCE AND STAFF,

RESOLVED, CITY COUNCIL DIRECTS STAFF TO IMPLEMENT THE GOLF COURSES ADVISORY TASK FORCE RECOMMENDATIONS RELATED TO THE OPERATING, MAINTENANCE AND CAPITAL IMPROVEMENTS AT THE GOLF COURSES.

RESOLVED, THE FUNDING SOURCES SHALL REMAIN AS RECOMMENDED BY THE CITY ADMINISTRATOR, WITH THE FOLLOWING AMOUNT CHANGES REFLECTING THE TASK FORCE RECOMMENDATIONS:

\$718,500.00 FROM FUND 0071-PARKS MAINTENANCE & CAPITAL IMPROVEMENTS MILLAGE WITH \$308,500.00 ALLOCATED FROM THE CAPITAL PORTION OF FUND 0071, \$180,000.00 RE-ALLOCATED FROM THE FY09 OPERATING BUDGET FOR PARKS SECURITY. IN ADDITION, \$230,000.00 SHALL BE APPROPRIATED FROM THE FUND BALANCE (THE UNUSED FY08 PARKS SECURITY LINE ITEM) TO BE APPROPRIATED WITHOUT REGARD TO FISCAL YEAR.

Submitted By: Councilmember Stephen Rapundalo

Date: May 19, 2008

On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 6 - Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Greden, Councilmember Higgins, Councilmember Teall, and Councilmember Easthope

Nays: 5 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Anglin, and Councilmember Briere

Enactment No: R-08-226

SUSPENSION OF COUNCIL RULES

A motion was made by Councilmember Briere, seconded by Councilmember Suarez, that the Council suspend Council Rules in order to have further discussion of the above mentioned amendment. On a voice vote, the Mayor declared the motion carried and Rule 8 was suspended.

08-0502 Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2009

The question being, the motion made by Councilmember Easthope, seconded by Councilmember Rapundalo, as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, and Councilmember Easthope

Nays: 3 - Councilmember Suarez, Councilmember Anglin, and Councilmember Briere

Enactment No: R-08-226

E COMMUNICATIONS FROM THE MAYOR

E-1 08-0545 Appointment Confirmations

Economic Development Corporation, Historic District Commission, Council Liquor License Review Committee, Employees' Retirement System Board of Trustees

A motion was made by Councilmember Briere, seconded by Councilmember Higgins, that the appointment be referred to the City Council, due on 6/2/2008 and that the appointment to the Council Liquor License Review Committee be approved as a one-step process. On a voice vote, the Mayor declared the motion carried.

Announcement

Mayor Hieftje gave an update on the Solar Cities Conference in Tuscan, AZ. Ann Arbor was very well received and the Mayor stated he had a chance to speak to the Assembly, along with the Mayor of Tuscan. Mayor Hieftje stated that he and Dave Konkle, City Energy Coordinator, would be happy to provide additional details to anyone interested.

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM CITY ADMINISTRATOR

F-1 08-0492 Resolution on Financing Improvements to Golf Operations from Parks Advisory Commission

F-2 08-0493 Resolution to Continue the Current Program of Increased Directed Patrols in City Parks by the Police Services During FY 09 as Currently Funded by Police Services

G COMMUNICATIONS FROM CITY ATTORNEY

Collection Efforts for Generating Additional Revenue

City Attorney Postema updated the Council on the City's collection efforts. He noted that other areas of the City, including Financial and Administrative Services should get some credit for their efforts in this area.

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

- H-1 08-0503** Communication from S.E.M.C.O.G. regarding their regional update publication Vol. 13, No. 9 - April 21, 2008
- H-2 08-0504** Communication from the Legislative Service Bureau - Research Services Division regarding the publication of the 2007-08 Michigan Manual on sale for \$30.00
- H-3 08-0513** Communication from Seventh-Day Adventist Church regarding door-to-door missionary work during the months of June, July and August of 2008
- H-4 08-0514** Communication from David S. Snyder of Sullivan, Ward, Asher & Patton, P.C. regarding Petition for Review of Realestate Tax Assessment and Proof of Service of Same - Colonial Square Cooperative v. City of Ann Arbor

The following minutes were received for filing:

- I-1 08-0463** Taxicab Board Meeting Minutes - March 27, 2008
- I-2 08-0464** Special Taxicab Board Meeting Minutes - April 9, 2008
- I-3 08-0473** Council Ad-Hoc Liquor License Committee Minutes - December 21, 2007
- I-4 08-0478** Greenbelt Advisory Commission Minutes of April 2, 2008
- I-5 08-0494** Ann Arbor Downtown Development Authority Meeting Minutes, March 5, 2008
- I-6 08-0495** Brownfield Review Committee Minutes of February 11, 2008
- I-7 08-0496** Brownfield Review Committee Minutes of March 10, 2008
- I-8 08-0497** City Planning Commission Minutes of April 1, 2008
- I-9 08-0498** City Planning Commission Minutes of April 15, 2008

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

1. Jay Steichmann - 2009 Budget

Jay Steichmann, resident, member and secretary of the Board of Directors of Arrowwood Hills Cooperative Housing Association, thanked Council for approving the 2009 City budget and for continuing funding at the present level for the Arrowwood Community Center Budget.

2. Thomas Partridge

Tom Partridge, 4220 Eyrie Dr., addressed Council regarding adopting a more informed attitude and the need to more fully fund public housing issues.

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

None.

ADJOURNMENT

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the meeting be Adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:16 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 19, 2008; 7:00 P.M.

REPLAYS: TUESDAY, MAY 20, 2008; 10:30 A.M. AND FRIDAY, MAY 23, 2008; 7:30 P.M.

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 994-2725 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.