

City of Ann Arbor

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



Action Minutes

Thursday, November 8, 2012

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber, 2nd Floor
City Council meets in caucus the Sunday prior to each regular
session at 7 p.m. in the Council Chamber.

City Council

CALL TO ORDER

Mayor Hieftje called the meeting of the Ann Arbor City Council to order at 7:13 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:** 9 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Jane Lumm
- Absent:** 2 - Councilmember Sandi Smith and Councilmember Carsten Hohnke

APPROVAL OF AGENDA

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

Add: CLOSED SESSION UNDER THE OPEN MEETINGS ACT, MCLA 15.268(C) FOR STRATEGY AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATION OF A COLLECTIVE BARGAINING AGREEMENT (Add after Public Commentary - Reserved Time)

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

INT INTRODUCTIONS

Councilmember Hohnke arrived at 7:15 p.m.

- Present:** 10 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Tony Derezinski, Councilmember Christopher Taylor, Councilmember Carsten Hohnke and Councilmember Jane Lumm
- Absent:** 1 - Councilmember Sandi Smith

INT-1 12-1412 Volunteer of the Month Proclamation for Samantha Brandfon 11/8/12

Attachments: Samantha Bradfon Vol. of Mo.Nov. 8 2012.pdf

Mayor Hieftje read a proclamation honoring Samantha Brandfon as Volunteer of the Month. Ms. Brandfon has made significant contributions of time, energy and morale to the members of the Ann Arbor Police Department and to the citizens of Ann Arbor through her volunteer work with the Police Department. (A copy of the proclamation is on file in the City Clerk's Office.)

Received and Filed

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Thomas Partridge - Protect Ann Arbor's most vulnerable residents. Provide access to county-wide transportation. Expand access to affordable housing and support services.**

Thomas Partridge, Ann Arbor resident, addressed Council regarding protecting Ann Arbor's most vulnerable residents, providing access to countywide transportation and expanding access to affordable housing and support services.

- 2. Kermit Schlansker - Values**

Kermit Schlansker, 2960 Marshall St., addressed Council regarding values in government and the need for progress. He said that the national government is mostly concerned with politics and is not taking care of the country's essential business.

- 3. Joel Batterman - Transit**

Joel Batterman, 1512 Gilbert Court, said that he was saddened to hear that the proposed countywide transportation authority would not be moving forward. He encouraged Council to take the initiative in the coming year and to continue to work toward this important goal for regional bus transportation.

- 4. Carolyn Lusch - Transit Authority**

Carolyn Lusch, 1506 Gilbert Ct., addressed Council regarding the proposed resolution to withdraw from the New Act 196 Public Transportation Authority. She said that the need for transit still exists and she is encouraged that there is still support and that the dialogue on this important issue will continue.

CLOSED SESSION MCL15.268C FOR STRATEGY NEGOTIATIONS

A motion was made by Councilmember Higgins, seconded by Councilmember Anglin, that Council enter into Closed Session, under MCL 15.268 (c), for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement. On a roll call, the vote was as follows with the Mayor declaring the motion carried (The meeting recessed at 7:30 p.m.):

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

Nays: 0

Absent: 1 - Councilmember Smith

MEETING RECONVENED

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:30 p.m.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER BRIERE*

Councilmember Briere stated she would be bringing forward the nomination of Patty Smith to the Environmental Commission. She stated the resolution would be ready for Council at their next meeting.

Councilmember Briere announced that she and Councilmembers Kunselman and Higgins would be bringing a proposed revision to the towing ordinance to the next regular session of Council.

Councilmember Briere stated she and Councilmember Higgins are also working on a proposed amendment to the Public Art Ordinance. This amendment would also be ready for the November 19 City Council meeting.

COUNCILMEMBER LUMM

Councilmember Lumm announced that she would be proposing an amendment to the Public Art Ordinance to eliminate the percent for art program. Councilmember Lumm stated this ordinance would be ready for the November 19 meeting. She encouraged other councilmembers to contact her if they were interested in co-sponsoring.

Councilmember Lumm stated she would also have an ordinance amendment regarding the exemption of non-profits from the Living Wage Ordinance. She stated this amendment will also be ready for First Reading on November 19.

COUNCILMEMBER HIGGINS

Councilmember Higgins asked that councilmembers contact her regarding their interest in committee assignments for the upcoming year. She stated she would like to have the proposed assignments ready for the first meeting in December.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Steve Powers reported on the following:

NOVEMBER 2012 GENERAL ELECTION

City Administrator Powers thanked the City's election inspectors and the City Clerk's Office for their hard work on Election Day, Tuesday, November 6, 2012.

WASHTENAW AREA TRANSPORTATION STUDY MEETING (W.A.T.S.)

The city will host a W.A.T.S. meeting on November 27, 2012 in the Council Chamber. This will give the public an opportunity to review deficiencies in areas of non-motorized safety, transit, bridge pavement and congestion identified while developing the County's 2040 long-range transportation plan.

COMMUTER TRAIN TESTING

MDOT, SEMCOG and Amtrak are conducting a commuter train test on November 13, 2012. A test of safety and equipment is being conducted pursuant to the Federal Rail Administration, in advance of offering passenger service between Ann Arbor and Detroit. Testing will begin in Pontiac at 8 p.m. with the trains traveling through Ann Arbor later that night.

Mayor Hieftje said that he would like the City to look at creating more precincts for national elections, in response to the new electronic pollbooks and the State limitation of one laptop per precinct. He stated the long lines could be attributed to only one check-in (electronic pollbook) per precinct. Mayor Hieftje noted that additional polling places did not seem to be needed for the City's smaller, local elections.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 12-1178

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 8.9 Acres from PUD (Planned Unit Development District) to Revised PUD, Plymouth Green Crossings Revised PUD Zoning and Supplemental Regulations, Northwest corner of Plymouth and Green Roads (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-12-31)

Attachments: 12-31 Briefed and Approved, ORD and Supp Regs10-23-12, ORD-12-31 Briefed, Ordinance.pdf, 8/21/12 Planning Staff Report, 8/21/12 Planning Commission Minutes, 8-21-2012 CPC Draft Min for Plymouth Green Crossing Revised PUD Zoning and Site Plan.pdf, 12-31 Approval Notice

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 8.9 Acres from PUD (Planned Unit Development District) to Revised PUD, Plymouth Green Crossings Revised PUD Zoning and Supplemental Regulations, located on the northwest corner of Plymouth and Green Roads. Notice of public hearing was published October 25, 2012.

Tom Partridge spoke in opposition to the proposed Plymouth Green Crossings Revised PUD Zoning.

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

Held and Closed

Enactment No: ORD-12-31

PH-2 12-1158

Resolution to Approve Plymouth Green Crossings Revised PUD Site Plan, Northwest corner of Plymouth and Green Roads (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 8/21/12 Planning Staff Report, 8/21/12 Planning Commission Minutes

A public hearing was conducted on the proposed Resolution to approve Plymouth Green Crossings Revised PUD Site Plan, located on the northwest corner of Plymouth and Green Roads. Notice of public hearing was published October 25, 2012.

Tom Partridge spoke in opposition to the proposed Plymouth Green Crossing Revised PUD Site Plan.

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

Held and Closed

Enactment No: R-12-494

- PH-3 12-1201** An Ordinance to Amend Section 5:517 of Chapter 61, Signs and Outdoor Advertising, Title V, of the Code of the City of Ann Arbor Section, to Shift the Responsibilities of the Sign Board of Appeals to the Zoning Board of Appeals (Ordinance No. ORD-12-32)
- Attachments:** 12-32 Briefed and Approved, Ord-12-32 Briefed, Draft Ordinance to Amend Chapter 61.pdf, 9/6/12 Planning Staff Report, 9/6/12 Planning Commission Minutes, 9-6-2012 CPC Draft Min for Amendments to Chapter 61.pdf, 12-32 Approval Notice
- A public hearing was conducted on the proposed amendment to Chapter 61, Section 5:517, Signs and Outdoor Advertising, Title V of the Code of the City of Ann Arbor, to shift the responsibilities of the Sign Board of Appeals to the Zoning Board of Appeals. Notice of public hearing was published October 25, 2012.*
- There being no one present to speak, the Mayor declared the hearing closed.*
- Held and Closed**
- Enactment No: ORD-12-32

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

- A-1 12-1386** Work Session Meeting minutes of October 8, 2012 and the Regular Session Meeting Minutes of October 15, 2012
- Attachments:** 10-08-12 Draft Minutes, 10-15-12 Draft Minutes, 10-15-12 Council Emails and Redaction List
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Work Session meeting minutes of October 8 and the Regular Session Meeting minutes of October 15, 2012 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

CA CONSENT AGENDA

CONSENT AGENDA ITEM REMOVED

With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:

CA-1 Resolution to Approve Agreement with the Michigan Department of Transportation for Construction Engineering Services for Huron Street Pedestrian Island Installation (\$6,400.00)

Passed on consent agenda

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

- CA-2 12-1354** Resolution to Approve Memorandum of Understanding between the City of Ann Arbor and the Township of Scio for the Liberty Road Sanitary Lift Station
- Attachments:** Lift Station MOU.PDF, Liberty Road Sewer Station Replacement Timeline 10-10-2012.pdf
- Enactment No: R-12-491
- CA-3 12-1350** Resolution to Accept Board of Insurance Administration Minutes of September 26, 2012
- Enactment No: R-12-492
- CA-1 12-1316** Resolution to Approve Agreement with the Michigan Department of Transportation for Construction Engineering Services for Huron Street Pedestrian Island Installation (\$6,400.00)
- Attachments:** CE agreement Huron Ped Island - revised 11-2-12, CE agreement Huron Ped Island.pdf
- 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-12-493

B ORDINANCES - SECOND READING

- B-1 12-1178** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 8.9 Acres from PUD (Planned Unit Development District) to Revised PUD, Plymouth Green Crossings Revised PUD Zoning and Supplemental Regulations, Northwest corner of Plymouth and Green Roads (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-12-31)
- Attachments:** 12-31 Briefed and Approved, ORD and Supp Regs10-23-12, ORD-12-31 Briefed, Ordinance.pdf, 8/21/12 Planning Staff Report, 8/21/12 Planning Commission Minutes, 8-21-2012 CPC Draft Min for Plymouth Green Crossing Revised PUD Zoning and Site Plan.pdf, 12-31 Approval Notice
- (The complete copy of the text of Ordinance No. ORD-12-31 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Ordinance be adopted as presented on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-12-31

- DB-1 12-1158** Resolution to Approve Plymouth Green Crossings Revised PUD Site Plan, Northwest corner of Plymouth and Green Roads (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

Attachments: 8/21/12 Planning Staff Report, 8/21/12 Planning Commission Minutes

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

Enactment No: R-12-494

- B-2 12-1201** An Ordinance to Amend Section 5:517 of Chapter 61, Signs and Outdoor Advertising, Title V, of the Code of the City of Ann Arbor Section, to Shift the Responsibilities of the Sign Board of Appeals to the Zoning Board of Appeals (Ordinance No. ORD-12-32)

Attachments: 12-32 Briefed and Approved, Ord-12-32 Briefed, Draft Ordinance to Amend Chapter 61.pdf, 9/6/12 Planning Staff Report, 9/6/12 Planning Commission Minutes, 9-6-2012 CPC Draft Min for Amendments to Chapter 61.pdf, 12-32 Approval Notice

(The complete copy of the text of Ordinance No. ORD-12-32 is on file in the City Clerk's Office.)

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

Enactment No: ORD-12-32

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 12-1392** Resolution to Add a Position to the North Main/Huron River Corridor Study Task Force

Sponsors: Briere

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.

Enactment No: R-12-495

DC-2 12-1394

Resolution to Exempt Community Action Network from the Requirements of the Living Wage Ordinance

Sponsors: Lumm

Attachments: CAN Living Wage Compliance Plan (2)

A motion was made by Councilmember Lumm, seconded by Councilmember Taylor, that the Resolution be approved.

Enactment No: R-12-496

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

Last RESOLVED Clause:

RESOLVED, That City Council grants CAN a[three] ONE-year exemption from the Living Wage Ordinance and that CAN will not be required to comply with the requirements of the Living Wage Ordinance until November [8]7, 20[15]13.

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

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

Yeas: 5 - Mayor Hieftje, Councilmember Higgins, Councilmember Briere, Councilmember Derezinski and Councilmember Lumm

Nays: 5 - Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Taylor and Councilmember Hohnke

Absent: 1 - Councilmember Smith

Enactment No: R-12-496

Councilmember Higgins requested a status report from staff regarding the effect of the Living Wage ordinance on non-profits and a status on the proposed revisions.

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

Yeas: 8 - Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Derezinski, Councilmember Taylor and Councilmember Lumm

Nays: 2 - Mayor Hieftje and Councilmember Hohnke

Absent: 1 - Councilmember Smith

Enactment No: R-12-496

DC-3 12-1355 Resolution to Approve a Request from Cherry Republic, Inc., for a New Wine Tasting Room to be located at 223 S. Main St., d/b/a Cherry Republic

Sponsors: Council Liquor License Review Committee

Attachments: 223 s. main st. - Cherry Republic

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

Enactment No: R-12-497

DC-4 12-1398 Resolution Regarding Transitioning the City's Employee Retirement Plan from a Defined Benefit Plan to a Defined Contribution Plan

Sponsors: Lumm

A motion was made by Councilmember Lumm, seconded by Councilmember Kunselman, that the resolution be approved.

Councilmember Lumm withdrew her motion.

DC-5 12-1404

Resolution to Withdraw from the New Act 196 Public Transportation Authority, to Terminate the 4-Party Agreement between the City, AATA, Ypsilanti and Washtenaw County, and to Continue Discussion of Expanded Transit Among Urban Core Communities

Sponsors: Hieftje, Briere, Taylor, Higgins, Kunselman and Lumm

Councilmember Higgins moved, seconded by Councilmember Teall, that Council allow the representative of AATA time to speak on the proposed Resolution.

On roll call, the vote was as follows:

Yeas: Councilmembers Briere, Derezinski, Lumm, Taylor, Teall, Hohnke, Anglin and Mayor Hieftje, 8;

Nays: Councilmembers Higgins and Kunselman, 2

Absent: Councilmember Smith, 1.

The Mayor declared the motion carried.

Councilmember Lumm asked the AATA to provide 2011 numbers comparing the City's bus system costs for service compared to other Michigan bus systems, including the University of Michigan busses.

Councilmember Kunselman inquired as to whether the level of service currently being provided was sustainable without additional funding.

Councilmember Anglin asked for the cost associated with the increased service on Washtenaw Avenue.

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

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

Nays: 0

Absent: 1 - Councilmember Smith

Enactment No: R-12-498

DC-6 12-1407

Resolution to Allocate Funds to the Affordable Housing Fund

Sponsors: Higgins, Smith, Hieftje, Teall and Briere

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

Enactment No: R-12-499

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

Enactment No: R-12-499

RECESS

Mayor Hieftje declared a recess at 10:46 p.m. and reconvened the meeting at 10:53 p.m.

SUSPEND COUNCIL RULES

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that council suspend the Rules in order to have a closed session after 11:00 p.m. On a voice vote, the Mayor declared the motion carried unanimously.

12-1407 Resolution to Allocate Funds to the Affordable Housing Fund

Sponsors: Higgins, Smith, Hieftje, Teall and Briere

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be taken of the table. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-12-499

The question being the motion 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-12-499

DC-7 12-1410 Resolution to Increase Fire Services Authorized Staffing Level (8 Votes Required)

Sponsors: Hieftje, Higgins, Lumm and Taylor

A motion was made by Councilmember Teall, seconded by Councilmember Lumm, 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-12-500

DB New Business - Boards and Commissions:

DS New Business - Staff:

- DS-1 12-1322** Resolution to Approve the Purchase of One Compressed Natural Gas Powered Front Loading Refuse Truck from Bell Equipment Company (ITB # 4250 \$302,357.00)
- A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-501
- DS-2 12-1321** Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office Michigan Drug Court Grant Program Grant and Approve Grant Contract (\$70,000.00) (8 Votes Required)
- Attachments:** 08 Nov 12 15DC SCAO-MDCGP 2013 Grant Contract (2)
- 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 unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-12-502
- DS-3 12-1320** Resolution to Accept and Allocate Michigan Supreme Court State Court Administrative Office DWI Drug Treatment Court Program Grant and Approve Grant Contract (\$25,000.00) (8 Votes Required)
- Attachments:** 08 Nov 12 15DC SCAO-OHSP 2013 Grant Contract
- 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 unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-12-503
- DS-4 12-1310** Resolution to Approve Agreement with the Michigan Department of Transportation for the Thurston Elementary Safe Routes to School Project (\$111,800.00)
- Attachments:** Thurston city state agreement-revised 11-2-12, thurston city state agrmnt.pdf
- A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-504
- DS-5 12-1202** Resolution to Dissolve the Sign Board of Appeals
- 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-12-505

DS-6 12-1343 Resolution to Approve a Purchase Order to Manpower for Seasonal Employees for Field Operations within the Public Services Area not to exceed \$55,000.00

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

Enactment No: R-12-506

E COMMUNICATIONS FROM THE MAYOR

E-1 12-1420 11/8/12 Appointment Confirmations

A motion was made by Councilmember Derezinski, seconded by Councilmember Taylor, to approve the following appointments in a one-step process and to increase the number of members to the North Main Street - Huron River Corridor Task Force:

North Main Street-Huron River Corridor Task Force

**Sandi Smith (filling a vacancy)
515 N. Ashley St.
Ann Arbor, MI 48103**

Sabra Briere (Replacing Councilmember Smith)

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

Mayor Hieftje recommended the following appointments at the October 15, 2012 Regular Session of Council:

City Planning Commission

*Tony Derezinski (Replacing-Evan Pratt)
1245 Glendaloch Ct.
Ann Arbor, MI 48104*

Term: November 8, 2012-June 30, 2013

A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that Council concur with the recommendations of the Mayor. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 1 - Councilmember Lumm

Absent: 1 - Councilmember Smith

E-2 12-1408 Appointment - Nomination

Mayor Hieftje responded to concerns made earlier in the meeting regarding AATA Board members who do not live in the City. The Mayor noted that any appointment to a City Board by a non-resident requires an eight-vote approval of Council. Mayor Hieftje also stated these appointments are typically made because of a special skill set that a person brings to the board.

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

Zoning Board of Appeals

*Maureen Sertich (Re-Appointment)
2485 Packard Apt. V
Ann Arbor, MI 48104*

Term: November 19, 2012 - November 18, 2015

Referred to the City Council, due back on 11/19/2012.

COMMUNICATIONS FROM COUNCIL**FAREWELLS**

Outgoing Councilmembers Derezinski and Hohnke gave farewell speeches and were presented with words and gifts of appreciation from the remaining members of Council.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**F-1 12-1344 Third Quarter 2012 Investment Portfolio Report**

Attachments: 2012 Q3 Portfolio Report.pdf, 2012 Q3 Portfolio Summary.pdf

Received and Filed

G COMMUNICATIONS FROM THE CITY ATTORNEY**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 Hohnke, seconded by Councilmember Derezinski, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- H-1 12-1368** Communication from Sandra S. Elser regarding Notice of Intent to Establish the Catherine Place Condominiums - Planning and Development Services
Attachments: Catherine Place Condominiums Notice of Intent
- H-2 12-1377** Communication from Michael Ford, Chief Executive Officer of the Ann Arbor Transportation Authority (AATA) regarding status of the newly forming countywide transit authority
Attachments: Communication from AATA, AATA Letter 10-19-12
- H-3 12-1382** Communications from Janis Bobrin regarding notice of hearings on proposed Allen Creek Miller Ave. Project scheduled for November 15, 2012 and the Allen Creek Miller Ave. Drain Project - Planning and Development Services
Attachments: Communication from Janis Bobrin Re Allen Creek Miller Ave Project Hearing, Communication from Janis Bobrin
- H-4 12-1383** Communication from the Washtenaw County Parks and Recreation Commission regarding the Connecting Communities Initiative - Parks and Recreation
Attachments: Communication from Washtenaw County Parks and Recreation Commission
- H-5 12-1415** Communication from the Washtenaw County Administrator regarding Official 30-day Notice under Public Act 196 for Local Communities to Decide Whether to Withdraw from "The Washtenaw Ride" Countywide Transportation Authority
Attachments: Communication from Washtenaw County Administrator
- I The following minutes were received for file:**
- I-1 12-0987** Council Liquor License Review Committee Meeting Minutes - June 22 and July 20, 2012
Attachments: 2012-06-22 liquor committee minutes, 2012-07-20 Liquor committee minutes
- I-2 12-1197** Zoning Board of Appeals Meeting Minutes August 22, 2012
Attachments: 8-22-2012 ZBA Approved Minutes.pdf
- I-3 12-1207** Park Advisory Commission Meeting Minutes of August 21, 2012
Attachments: 8-21-2012 PAC Approved Minutes.pdf

- I-4 12-1211 Airport Advisory Committee Minutes - July 18, 2012
Attachments: AAC minutes 071812.pdf
- I-5 12-1317 Ann Arbor Downtown Development Authority Minutes - September 5, 2012
Attachments: DDA Minutes 9-5-12
- I-6 12-1319 Downtown Area Citizens Advisory Council Minutes - October 2, 2012
Attachments: Downtown Area Citizen Advisory Council Meeting Minutes 100212
- I-7 12-1372 Ann Arbor Public Art Commission Meeting Minutes - August 2012
Attachments: AAPAC Meeting Minutes - August 2012.pdf

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Thomas Partridge, City resident, spoke about the re-election of President Obama and questioned some of the decisions made by Council, including regarding public transportation.

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).

A motion was made by Councilmember Hohnke, seconded by Councilmember Derezinski, that Council enter into Closed Session under MCL 15.268 (a) to discuss the City Attorney's personnel evaluation. On a roll call, the vote was as follows with the Mayor declaring the motion carried (The meeting recessed at 11:56 p.m.):

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

Nays: 0

Absent: 1 - Councilmember Smith

MEETING RECONVENED

A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 12:26 a.m.

12-1450 Resolution Approving Amendment to the Employment Agreement between the City of Ann Arbor and City Attorney Stephen Postema

Sponsors: Hieftje, Higgins, Teall, Derezinski and Taylor

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-12-507

ADJOURNMENT

A motion was made by Councilmember Hohnke, seconded by Councilmember Derezinski, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:30 a.m.

12-1485 City Council Emails - November 8, 2012

Attachments: 11-08-12 Council Emails and Redactions List

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: THURSDAY, NOVEMBER 8, 2012 7:00 P.M.

REPLAYS: FRIDAY, NOVEMBER 9, 2012 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, 301 E. Huron Street, 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