

City of Ann Arbor

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



Meeting Minutes

Tuesday, February 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 7:02 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 Margie Teall, Councilmember Christopher S. Easthope and Councilmember Mike Anglin
- Absent:** 1 - Councilmember Sabra Briere

APPROVAL OF AGENDA

A motion was made by Councilmember Easthope, seconded by Councilmember Anglin, 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. Joan Doughty - Living Wage Ordinance

Joan Doughty, 2401 Meawdowridge Ct., addressed Council regarding the Living Wage Ordinance. She asked that Council consider adding to the ordinance language that would distinguish part-time/temporary employees, especially those working for non-profits.

ROLL CALL OF COUNCIL

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

2. Thomas Partridge - Free Ann Arbor and Washtenaw Residents from transportation discrimination. Provide comprehensive county-wide bus and handicap transportation.

Thomas Partridge, 4220 Eyrie Dr., asked that City Council and the entire Michigan Legislature provide a comprehensive county-wide transportation assistance program for persons in need and who have disabilities.

3. Bill Newcomb - Golf Courses

Bill Newcomb, 17 Heatheridge, addressed Council regarding obtaining more revenue for the City golf courses and ask that the Council consider creating an Advisory Golf Course Board to work on golf course solutions.

4. Paul Bancel - Golf Fees

Paul Bancel, 1115 Kuehnle, representing the Ann Arbor Golf Association, offered the association's time and expertise to assist the City with addressing golf course issues.

5. Peter Linebaugh - YMCA

Peter Linebaugh, 2884 Ticknor Ct., addressed Council regarding the YMCA.

6. Alan Haber - Converting the Y

Alan Haber, 531 Third St., addressed Council regarding the creation of a "common space" for the old YMCA site and asked that the City allow residents access to the building.

7. Kathy Clark - 415 W. Washington and First and Washington Development Issues

Kathy Clark, 549 S. First St., suggested that the City consider constructing a parking shelter at the First and Washington city-owned property.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [07-1234](#) An Ordinance to Amend Chapter 55, Rezoning of 0.12 Acre from TWP (Township District) to R1D (Single-Family Dwelling District), Angelos Property, 2950 Shady Lane (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-08-04)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of, 0.12 acre from TWP (Township District) to R1D (Single-Family Dwelling District), Angelos property, located at 2950 Shady Lane. Notice of public hearing was published February 4, 2008.

Thomas Partridge, 4220 Eyrie Dr., expressed concern with the Planning Commission approving applications for rezoning newly annexed properties with little review.

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

Held and Closed

Enactment No: ORD-08-04

PH-2 [07-1235](#)

An Ordinance to Amend Chapter 55, Rezoning of Portions of Lower Burns Park Neighborhood from R4C (Multiple-Family Dwelling District) to R1D (Single-Family Dwelling District), Properties on Golden Avenue, Granger Avenue, Rose Avenue and Brooklyn Avenue (CPC Recommendation: Approval - 7 Yeas and 1 Nay) (Ordinance No. ORD-08-05)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of portions of the Lower Burns Park Neighborhood R4C (Multiple-Family Dwelling District) to R1D (Single-Family Dwelling District), properties on Golden Avenue, Granger Avenue, Rose Avenue and Brooklyn Avenue. Notice of public hearing was published February 4, 2008.

The following people spoke in support of the proposed rezoning of Lower Burns Park:

*Nancy Leff, 1022 Granger
Larry Baitch, 925 Woodlawn
Bruce Worden, 1614 Packard
David Rossitter, 1427 Golden
Mike Sevak, 1122 Granger
Anne Berrgren, 1420 Golden*

The following people spoke in opposition of the proposed rezoning of Lower Burns Park:

*John Teeter, 1231 Olivia
Bill Wright, owner of 1615 Ferndale
Thomas Partridge, 4220 Eyrle Dr.
B.J. Alpern, representing the Washtenaw Area Apartment Association
Bart Fischer*

An unidentified resident expressed concerns about Ferndale being included in the rezoning.

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

Enactment No: ORD-08-05

PH-3 [08-0093](#)

Resolution Establishing Ann Arbor Industrial Development District 2008-020 (being part of the real property identified as 1000 Campus Drive together with part of the real property identified as 1000 East Oakbrook Drive)

A public hearing was conducted on the proposed resolution establishing Ann Arbor Industrial Development District 2008-020 being part of the real property identified as 1000 Campus Drive together with part of the real property identified as 1000 East Oakbrook Drive). Notice of public hearing was published February 9, 2008.

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

Held and Closed

Enactment No: R-08-057

COMMUNICATIONS FROM COUNCIL*None.***A APPROVAL OF COUNCIL MINUTES****A-1** [08-0142](#) Regular Session of February 4, 2008

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Regular Session Meeting Minutes of February 4, 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 Lowenstein, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 [08-0017](#) Resolution to Award a Contract to DeMaria Building Co. to Construct the WWTP Influent Sewer Odor Control Project, Bid No. 3901 (\$56,729.00)

Enactment No: R-08-038

CA-2 [08-0031](#) Resolution Authorizing Road Improvement Charge for 3091 Glazier Way (\$19,064.95)

Enactment No: R-08-039

CA-3 [08-0032](#) Resolution Authorizing Road Improvement Charge for 3175 Glazier Way (\$38,129.91)

Enactment No: R-08-040

CA-4 [08-0033](#) Resolution Authorizing Sanitary Sewer Charge for 1100 Elmwood Drive (\$1,026.23)

Enactment No: R-08-041

CA-5 [08-0034](#) Resolution Authorizing Sanitary Sewer Charge for 3390 E Huron River Drive (\$1,026.23)

Enactment No: R-08-042

CA-6 [08-0038](#) Resolution Authorizing Sanitary Sewer and Water Improvement

Charges for 330 Glenwood Street (\$29,071.00)

Enactment No: R-08-043

- CA-7** [08-0089](#) Resolution to Approve a Construction Contract with Advanced Pool Services, Inc. per Bid #3914, in the Amount of \$28,400.00 and to Establish a Total Construction Project Budget of \$31,240.00

Enactment No: R-08-044

- CA-8** [08-0090](#) Resolution to Approve Purchase Order for the CTN Playback and Studio Systems Relocation (\$34,980.00)

Enactment No: R-08-045

- CA-9** [08-0102](#) Resolution to Approve Purchase of Office Furniture for the New Community Television Network Offices (\$34,822.52)

Enactment No: R-08-046

- CA-10** [08-0117](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of January 25, 2008

Enactment No: R-08-047

B ORDINANCE - SECOND READING

- B-1** [07-1234](#) An Ordinance to Amend Chapter 55, Rezoning of 0.12 Acre from TWP (Township District) to R1D (Single-Family Dwelling District), Angelos Property, 2950 Shady Lane (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-08-04)

(The complete text of Ordinance ORD-08-04 is on file in the City Clerk's Office.)

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

Enactment No: ORD-08-04

- B-2** [07-1235](#) An Ordinance to Amend Chapter 55, Rezoning of Portions of Lower Burns Park Neighborhood from R4C (Multiple-Family Dwelling District) to R1D (Single-Family Dwelling District), Properties on Golden Avenue, Granger Avenue, Rose Avenue and Brooklyn Avenue (CPC Recommendation: Approval - 7 Yeas and 1 Nay) (Ordinance No. ORD-08-05)

(The complete text of Ordinance ORD-08-05 is on file in the City Clerk's Office.)

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

Enactment No: ORD-08-05

C ORDINANCE - FIRST READING

- C-1** [08-0098](#) An Ordinance Authorizing and Providing for the Issuance and Sale of Sewage Disposal System Revenue Bonds, Series 2008-A, of Equal Standing with Certain Outstanding Sewage Disposal System Revenue Bonds **(Roll Call Vote Required - One Reading)**
- (The complete text of Ordinance ORD-08-08 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried**
- Yeas:** 11 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Easthope, Councilmember Anglin and Councilmember Briere
- Nays:** 0
- Enactment No: ORD-08-08
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- C-2** [08-0099](#) An Ordinance Authorizing and Providing for the Issuance and Sale of Water Supply System Revenue Bonds, Series 2008-A, of Equal Standing with Certain Outstanding Water Supply System Revenue Bonds **(Roll Call Vote Required - One Reading)**
- (The complete text of Ordinance ORD-08-09 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried**
- Yeas:** 9 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Easthope, Councilmember Anglin and Councilmember Briere
- Nays:** 0
- Absent:** 2 - Councilmember Higgins and Councilmember Teall
- Enactment No: ORD-08-09
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- C-3** [08-0082](#) An Ordinance to Amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, 3965 South State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-07)
- This ordinance would change the zoning of 2.23 acres, located at 3965 South State Street PUD (Planned Unit Development) to C3 (Fringe Commercial District). (The complete text of Ordinance ORD-08-07 is on file in the City Clerk's Office.)*
- A motion was made by Councilmember Greden, seconded by Councilmember Kunselman, that the Ordinance be approved on First Reading to the City**

Council and should be returned by 3/17/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-07

C-4 [08-0143](#)

An Ordinance to Amend Sections 1:813 and 1:821 of Chapter 23 (Living Wage Requirements) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-08-10)

A motion was made by Councilmember Easthope, seconded by Councilmember Briere, that the Ordinance be approved on First Reading.

Enactment No: ORD-08-10

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

**Add this Section:
1:821. Other Provisions.**

(1) No affected covered employer shall reduce the compensation, wages, fringe benefits, or leave available to any covered employee or person contracted for employment in order to pay the living wage required by this Chapter.

(3) No employee covered by a federal, state or local law requiring the payment of prevailing wages shall be covered by this Chapter.

(4) This Chapter shall not be construed to apply to any person or entity that is a tax exempt religious, educational or charitable organization under state or federal law, but is not a contractor/vendor or grantee as defined in Section 1:813.

(5) This Chapter shall not be applicable to the establishment and/or continuation of the following if developed specifically for YOUTH, high school and/or college students:

- (a) A bona fide training program;
- (b) A NONPROFIT SUMMER PROGRAM;
- (c) A NONPROFIT YOUTH EMPLOYMENT PROGRAM;
- (d) A work-study, volunteer/public service, or internship program.

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

Enactment No: ORD-08-10

(The complete text of Ordinance ORD-08-10 is on file in the City Clerk's Office.)

The question being, the Ordinance as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-10

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

DC-1 [08-0118](#) Resolution to Appoint Member to the City Environmental Commission

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

Enactment No: R-08-048

DC-2 [08-0136](#) Resolution Recognizing The Rotary Club of Ann Arbor North as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

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

Enactment No: R-08-049

DC-3 [08-0146](#) Resolution to Approve a One-Time Refund of the \$100.00 Application Fee to the Nine Applicants who were not Selected for the City's On-Premise Quota Liquor License

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

Enactment No: R-08-050

A motion was made by Councilmember Briere, seconded by Councilmember Rapundalo, that the resolution be placed on the table and considered after DC-4. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-050

DC-4 [08-0150](#) Motion for Reconsideration of Adoption of "Resolution to Recommend Approval of Issuance of One New Class C Liquor License"

A motion was made by Councilmember Briere, seconded by Councilmember Lowenstein, that the motion to reconsider adoption of the "Resolution to Recommend Approval of Issuance of One New Class C Liquor License" be approved. On roll call, the Mayor declared the motion carried, with the vote reading as follows:

Yeas: 6 - Councilmember Suarez, Councilmember Lowenstein, Councilmember Higgins, Councilmember Easthope, Councilmember Anglin and Councilmember Briere

Nays: 5 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Greden and Councilmember Teall

[07-1214](#) Resolution to Recommend Approval of Issuance of One New Class C Liquor License

A motion was made by Councilmember Briere, seconded by Councilmember Lowenstein, that the Resolution be approved. On roll call, the Mayor declared the motion carried:

Yeas: 6 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins and Councilmember Teall

Nays: 5 - Councilmember Suarez, Councilmember Lowenstein, Councilmember Easthope, Councilmember Anglin and Councilmember Briere

Enactment No: R-08-023

DC-3 [08-0146](#)

Resolution to Approve a One-Time Refund of the \$100.00 Application Fee to the Nine Applicants who were not Selected for the City's On-Premise Quota Liquor License

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

Enactment No: R-08-050

Added After Newspaper Deadline:

DC-5 [08-0156](#)

Resolution to Reduce Fees at the City's Golf Courses Effective for the 2008 Golf Season and Increase the Senior Citizen Qualification Age

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

Enactment No: R-08-051

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

Add Resolved Clause:

RESOLVED, THAT THE CAPS BE REMOVED FROM SEASON PASSES ON THE PROPOSED FEE SCHEDULE AND STAFF INCLUDE A BLENDED SEASON PASS FOR USE AT BOTH HURON HILLS AND LESLIE GOLF COURSES.

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

Enactment No: R-08-051

The question being the resolution as amended, on a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Easthope.

****The City Administrator was directed to work with an Ad-Hoc Advisory group related to golf course issues.**

Enactment No: R-08-051

DC-6 [08-0157](#)

Resolution to Approve Deficit Elimination Plan as of June 30, 2007

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

Enactment No: R-08-052

DB New Business - Boards and Commissions:

DB-1 [08-0083](#) Resolution to Direct City Planning Commission and Planning and Development Services Staff to Review Zoning of Residential Neighborhoods in the Central Area (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

Enactment No: R-08-053

DB-2 [08-0085](#) Resolution to Approve Ann Arbor Township Annexations (4 Properties - Anderson/Connell, Powsner, Stetz and Thompson) (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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-08-054

DB-3 [08-0097](#) Resolution to Appoint Brownfields Plan Review Committee

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-08-055

DB-4 [08-0126](#) Resolution to Extend the Broadway Historic District Study Committee and to Require All Building Permit Applications within the Proposed Broadway Historic District and 1001-1013 Broadway Historic District to be Referred to the Historic District Commission for Review

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

Enactment No: R-08-056

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

Strike the last Resolved Clause.

[RESOLVED, That City Council require that all applications for building permits within the proposed Broadway Historic District and proposed 1001-1013 Broadway Historic District be referred to the Historic District Commission for

review with the same powers that would apply if the proposed historic district was an established historic district for a period of six months or until such time as City Council approves or rejects the establishment of the historic districts by ordinance, whichever occurs first.]

Add the following Resolved Clause:

RESOLVED, THAT THERE IS A MORATORIUM ON ANY DEMOLITION UNTIL COUNCIL RECEIVES THE REPORT FROM THE HISTORIC DISTRICT STUDY COMMITTEE.

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

Enactment No: R-08-056

[08-0126](#)

Resolution to Extend the Broadway Historic District Study Committee and to Require all Building Permit Applications within the Proposed Broadway Historic District and 1001-1013 Broadway Historic District to be Referred to the Historic District Commission for Review

The question being, the resolution as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-056

D Old Business - Staff:

D-1 [07-0203](#)

Resolution to Transfer Delinquent Sidewalk Improvement Charges to the 2008 City Tax Roll

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

Enactment No: R-08-089

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the resolution be postponed to the City Council, due back on 3/3/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-089

RECESS

The Mayor declared a recess at 9:49 p.m. and reconvened the meeting at 9:59 p.m.

DS New Business - Staff:

DS-1 [08-0093](#)

Resolution Establishing Ann Arbor Industrial Development District 2008-020 (being part of the real property identified as 1000 Campus Drive together with part of the real property identified as 1000 East Oakbrook Drive)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the resolution be approved. On a voice vote, the

Mayor declared the motion carried.

Enactment No: R-08-057

- DS-2** [08-0095](#) Resolution Setting a Public Hearing on March 17, 2008 to Receive Public Comment on the Application of Arbor Networks, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2008-020

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-08-058

RE-OPEN AGENDA

A motion was made by Councilmember Easthope, seconded by Councilmember Briere, that the agenda be re-opened to consider DS-18 before DS-3. On a voice vote, the Mayor declared the motion carried.

- DS-18** [08-0128](#) Resolution of Intent to Vacate Boulevard Heights Alley, Located Between South Maple Road, Collingwood Drive, Abbott Avenue and Jackson Avenue (**8 Votes Required**)

A motion was made by Councilmember Easthope, 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-08-059

- DS-3** [08-0091](#) Resolution to Allocate \$224,000.00 in HOME Funds to Avalon Housing Inc. for the Rehabilitation of 211 E. Davis and to Approve the Housing Affordability Agreement (\$224,000.00 HOME Funds)

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

Enactment No: R-08-060

- DS-4** [08-0078](#) Resolution to Approve an Agreement with Scio Township for the construction of Miller-Maple Transmission Water Main Project (\$3,379,614.00) (**8 Votes Required**)

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

Enactment No: R-08-061

- DS-5** [08-0079](#) Resolution to Award a Construction Contract to E.T. MacKenzie Co. (\$3,610,140.81; Bid No. 3908) for the Miller - Maple Transmission Water Main Project

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-08-062

DS-6 [08-0080](#)

Resolution to Approve a Professional Services Agreement for Construction Materials Testing with Testing Engineers & Consultants, Inc. for the Miller - Maple Transmission Water Main Project (RFP No. 692, \$77,910.00)

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-08-063

DS-7 [08-0081](#)

Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Malcolm Pirnie, Inc. for Design of the Facilities Renovations Project at the Wastewater Treatment Plant, (\$2,691,025.00)

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

Enactment No: R-08-064

DS-8 [08-0087](#)

Resolution to Approve the Purchase of Three Heavy Duty One Ton Cab and Chassis Trucks and Two Police Patrol Cars from Signature Ford (Macomb County Bid \$131,513.00)

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

Enactment No: R-08-065

*****Staff to provide the spread sheet to City Council detailing the City Garage's repair rate.*

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

RESOLVED, That City Council approve the issuance of a purchase order to Signature Ford in the amount of [\$131,513.00] \$40,940.00 for the purchase of [three 2008 Ford F-450 Cab and Chassis and] two 2008 Ford Crown Victoria Police Interceptors from the 2008 Motor Equipment budget[, the 2008 Water Supply System Operating budget, and the 2008 Sanitary Sewer Operating budget].

RESOLVED, That the vehicles being replaced (nos. 0055, 0062, [2503, 2504, and 3284]) be sold at the next City vehicle auction; and

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

Yeas: 6 - Mayor Hieftje, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Easthope and Councilmember Briere

Nays: 5 - Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Teall and Councilmember Anglin

Enactment No: R-08-065

[08-0087](#)

Resolution to Approve the Purchase of Three Heavy Duty One Ton Cab and Chassis Trucks and Two Police Patrol Cars from Signature Ford (Macomb County Bid \$131,513.00)

The question being the Resolution as amended, on a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-065

DS-9 [08-0071](#)

Resolution to Approve the Purchase of Five Mini Pickup Trucks and One Heavy Duty Pickup Cab and Chassis from Red Holman Pontiac-GMC (Oakland County Bid \$95,012.00)

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

Enactment No: R-08-066

DS-10 [08-0072](#)

Resolution to Approve the Purchase of Three Special Service Package Sports Utility Vehicles from Shaheen Chevrolet (Oakland County Bid \$85,266.00)

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

Enactment No: R-08-067

DS-11 [08-0096](#)

Resolution to Approve Contract with SunTel Services for City-Wide Telecommunications System and Services - RFP No. 676 (Not to Exceed \$724,681.00) and a Supplemental Appropriation of Funds from the Information Technology Fund Reserves and a Budget amendment to FY2008 Information Technology Budget (\$82,324.00) **(8 Votes Required)**

A motion was made by Councilmember Teall, seconded by Councilmember Lowenstein, 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-08-068

DS-12 [08-0092](#)

Resolution to Approve Contracts with Legal Services of South Central Michigan and Washtenaw County Treasurer for Mortgage Foreclosure Intervention and Prevention Services and Appropriate \$20,000.00 to

the Office of Community Development General Fund Budget (\$50,000.00 AAHTF and \$20,000.00 General Fund) **(8 Votes Required)**

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-08-069

SUSPENSION OF COUNCIL RULES

A motion was made by Councilmember Rapundalo, seconded by Councilmember Lowenstein, that the Council Rules be suspended in order to go into a Closed Session after 11:00 p.m. On a voice vote, the Mayor declared the motion carried.

DS-13 [08-0016](#) Resolution to Approve Street Closings for the 2008 Ann Arbor Art Fair - July 15 at 7:00 A.M. through July 20, 2008 at 12:00 P.M.

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

Enactment No: R-08-070

DS-14 [08-0111](#) Resolution to Approve Street Closings for the Shamrocks and Shenanigans 5K Run and Kids Dash - Sunday, March 16, 2008

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.

Enactment No: R-08-071

DS-15 [08-0112](#) Resolution to Approve Street Closing for FestiFools - Sunday, April 6, 2008

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

Enactment No: R-08-072

DS-16 [08-0113](#) Resolution to Approve Street Closings for the 2008 "Taste of Ann Arbor" Special Event - Sunday, June 1, 2008

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

Enactment No: R-08-073

DS-17 [08-0125](#) Resolution to Approve Street Closings for the Dexter-Ann Arbor Run (5K, 10K, and Half Marathon) on Sunday, June 1, 2008

A motion was made by Councilmember Higgins, seconded by Councilmember

Rapundalo, that the resolution be approved. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-074

DS-19 [08-0069](#)

Resolution to Approve the Purchase of One Police Patrol Car and One Police Detective Vehicle from Bill Snethkamp's Lansing Dodge (State of Michigan Bid \$40,340.00)

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

Enactment No: R-08-075

DS-20 [08-0073](#)

Resolution to Approve the Purchase of One Compact Car, Three ¾ ton Four Wheel Drive Pickup Trucks, and One Sports Utility Vehicle from Varsity Ford (Macomb County Bid \$94,827.00)

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

Enactment No: R-08-076

E COMMUNICATIONS FROM THE MAYOR

E-1 [08-0122](#)

Appointments - Confirmations

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the February 4, 2008 regular session of Council:

Elizabeth Dean Fund Committee

*Warren Attarian (Chair) Re-Appointment
3490 Gettysburg Rd.
Ann Arbor, MI 48105
Term: February 19, 2008-July 31, 2011*

*Charles W. Cares Re-Appointment
505 Riverview Dr.
Ann Arbor, MI 48104
Term: February 19, 2008- July 31, 2011*

*Merrill Dudley Re-Appointment
1126 Fair Oaks Parkway
Ann Arbor, MI 48104
Term: February 19, 2008- July 31, 2011*

*Albert E. Gallup Re-Appointment
1201 Bydding Rd.
Ann Arbor, MI 48103
Term: February 19, 2008-July 31, 2011*

Donald H. Gray *Re-Appointment*
1704 Morton Ave.
Ann Arbor, MI 48104
Term: February 19, 2008-July 31, 2011

John Remsberg *Re-Appointment*
3212 Charing Cross Rd.
Ann Arbor, MI 48104
Term: February 19, 2008-July 31, 2011

Elizabeth Dean Fund Committee

John R. Bassett *Replacing John Roberts*
1100 Clague Ave.
Ann Arbor, MI 48103
Term: March 3, 2008-July 31, 2010

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Appointments be approved as amended to include the nomination of John R. Bassett to the Elizabeth Dean Fund. On a voice vote, the Mayor declared the motion carried.

E-2 [08-0165](#) Nominations & Appointments

Council unanimously agreed to approve the appointment of John R. Bassett to the Elizabeth Dean Fund as a one step process.

NOMINATIONS:

Elizabeth Dean Fund Committee

John R. Bassett *Replacing John Roberts*
1100 Clague Ave.
Ann Arbor, MI 48103
Term: March 3, 2008-July 31, 2010

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER SUAREZ

Councilmember Suarez announced that he has started an online call-in radio show with other councilmembers participating. It is on www.ronsuarez.com.

F COMMUNICATIONS FROM CITY ADMINISTRATOR

F-1 [08-0045](#) LDFA 2007 Annual Report

F-2 [08-0135](#) Request for Proposals for 415 W. Washington Street

G COMMUNICATIONS FROM CITY ATTORNEY

G-1 [08-0119](#) Annexation of the Bloomquist Property, Beveridge, Levitan, Berenjian, Utiger, Borgnakke, Brickman, Bronson, Brooks, and Castle Time, LLC

Properties

- G-2** [08-0121](#) Annexation of the Lin, Compton, Cordeiro, Czekiel Trust, Weyden, Davis, Eddy, Flack, Gombert, and Henry Properties
- G-3** [08-0123](#) Annexation of the Kurtz, Howe, Jeffries, Johnson, Johnston, Kapp, Vivian, Keesor, Robine, and King Properties
- G-4** [08-0129](#) Annexation of the Kozma, Lindquist, Loomis, Markel, Silverstein, Martin, Mason, May, McLeary, and Michot Properties

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

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

Passed on consent agenda

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

- H-1** [08-0131](#) Communication from Miller Canfield P.L.C. regarding Broadway Village at Lower Town Development Agreement
- H-2** [08-0132](#) Communications from S.E.M.C.O.G. regarding their regional updates Vol. 13, No. 2 and No. 3
- H-3** [08-0133](#) Communication from Andrew S. Rudnik regarding opposition of the proposed Lower Burns Park Neighborhood rezoning
- H-4** [08-0134](#) Communication from Hattula Moholy-Nagy regarding opposition of the proposed Lower Burns Park Neighborhood rezoning
- H-5** [08-0144](#) Communication from Thomas and Kathleen Pullen regarding opposition of the proposed Rezoning of 1209-1211 Brooklyn Avenue, Ordinance No. ORD-08-05
- H-6** [08-0145](#) Communication from Clan Creawford, Jr. regarding opposition of the proposed Rezoning of 1215 Brooklyn Avenue, Ordinance No. ORD-08-05
- H-7** [08-0153](#) Communication from John and Rachael Crisco regarding thier objection to the Lower Burns Park Rezoning
- H-8** [08-0161](#) Communication from Lawrence N. Lup regarding support of the proposed Lower Burns Park rezoning
- H-9** [08-0162](#) Communication from Louis A. Breskman regarding opposition of the proposed Lower Burns Park rezoning

H-10 [08-0163](#) Communication from William R. Wright regarding opposition of the proposed Lower Burns Park rezoning

I The following minutes were received for file:

I-1 [08-0060](#) Commission on Disabilities Issues Minutes - October 17, 2007

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

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

A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that Council enter into Closed session. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed at 11:05 p.m.

Yeas: 11 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Easthope, Councilmember Anglin and Councilmember Briere

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Kunselman, seconded by Councilmember Suarez, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:21 p.m.

ADJOURNMENT

A motion was made by Councilmember Lowenstein, seconded by Councilmember Suarez, that the Meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:21 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, FEBRUARY 19, 2008 7:00 P.M.

REPLAYS: WEDNESDAY, FEBRUARY 20, 2008 10:00 A.M. AND FRIDAY, FEBRUARY 22, 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.

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary