

City of Ann Arbor

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



Action Minutes

Monday, July 20, 2009

7:00 PM

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

City Council

CALL TO ORDER

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

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

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

APPROVAL OF AGENDA

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the agenda be approved with the following changes:

Move: COMMUNICATIONS FROM COUNCIL (Consider after Public Commentary.)

Move: CLOSED SESSION (Consider before Public Hearings.)

Delete: DS-12 Resolution to Approve Riverside Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

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. Mozhagn Savabieasfahani - Demolishing Historic Homes and Palestine (DC-1)

Mozhagn Savabieasfahani, resident of Ann Arbor, spoke in opposition of the demolition of historic homes in Ann Arbor and asked that financing of the genocide in the Middle East be stopped.

2. Thomas Partridge - Equal access agenda. Affordable transportation and housing access ordinances and amendments needed. (C-1, DC-1, DB-1, DB-2, DS-17)

Thomas Partridge, Scio Township resident, said that every amendment and action pertaining to housing and public transportation brought before City Council be discussed to assure democratic access on an equal basis for all residents of the City and all residents of Washtenaw County.

3. John Etter - E. Huron Rezoning (C-1)

John Etter, 101 N. Main, Suite 575, urged City Council to reconsider the proposed rezoning of East Huron to D-1 and to provide side setback protection to Sloan Plaza. Mr. Etter provided a revised communication to Council, which is on file in the City Clerk's Office. (See File 09-0227 for a copy of the communication.)

4. Lazer Greenfield - Zoning - E. Huron (C-1)

Lazer Greenfield, 505 E. Huron, commended Council for reviewing the downtown rezoning plan. He added that the proposed D-1 zoning for East Huron Street violates the recommendation made in the Calthorpe Report. Mr. Greenfield said that he does support further downtown development that doesn't threaten the unique quality and character of life in Ann Arbor. Designing East Huron as D-2 and providing a residential setback will achieve the objections for downtown and satisfy the concerns of the residents of the neighborhood.

5. Hugh Sonk - How zoning changes will affect quality of life in Ann Arbor. (C-1)

Hugh Sonk, 505 E. Huron, president of the Sloan Plaza Condominium Association, expressed concern with the proposed zoning changes of East Huron to D-1 and the negative impact it would have on the character and quality of life in Ann Arbor. The association requests that Council take serious consideration of the long-term negative impact and excessive building heights on the quality of life downtown.

6. Vivienne Armentrout - Moratorium Resolution (DC-1)

Vivienne Armentrout, 920 Vesper Road, spoke in support of the proposed moratorium on development in the R4C zoning district.

7. Maureen Sloan - Moratorium Resolution (DC-1) and issues with Building Department

Maureen Sloan, 1850 North Parker, asked that the moratorium resolution be tabled to allow for a review of the legality of a moratorium for this purpose. Ms. Sloan also addressed Council regarding the service problems their members are having with the City of Ann Arbor Planning and Development Services Unit, specifically as it relates to Building permits and inspections.

8. Beverly Strassmann - Moratorium Resolution (DC-1)

Beverly Strassmann, 545 South Fifth Avenue, spoke in support of the proposed moratorium on major construction in the R4C and R2A Districts. The moratorium is needed to protect against unplanned development.

9. Claudis Vincenz - Moratorium Resolution (DC-1)

Claudis Vincenz, 545 South Fifth Avenue, spoke in support of the proposed moratorium resolution on all new development that requires site plan approval.

10. Hatim Elhady - Moratorium Resolution (DC-1)

Hatim Elhady, 824 Brown Street, Apartment #4, spoke in support of the proposed moratorium resolution and commended Councilmember Anglin for sponsoring the resolution to impose a temporary moratorium on development.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER HOHNKE**

Councilmember Hohnke informed Council that the Greenbelt Advisory Commission (GAC) has two members whose terms will be expiring soon. The Commission will be looking for a representative from an environmental or conservation group and someone who is a plant or animal biologist. Councilmember Hohnke encouraged members of the public who are interested to submit their names and background information to the City Clerk who will then forward that information to the Council for consideration and nomination.

The Washtenaw Area Transportation Study Policy Committee (W.A.T.S.) is reviewing their bylaws and considering an expansion of those bylaws to include a greater cross section of transportation users in the community. Potential seats on the committee will become available. Additional information will be available on the W.A.T.S. website after the August meeting of the policy committee.

COUNCILMEMBER HIGGINS

Councilmember Higgins reminded everyone from the 4th Ward that the Area Height and Placement Meeting is scheduled for this Thursday, July 23, 2009 at 6:30 p.m. at Cobblestone Farm.

COUNCILMEMBER ANGLIN

Councilmember Anglin thanked Councilmember Hohnke for bringing traffic safety issues forward. They have been working a long time in his Ward on safety issues and they are concerned about vehicles having the right-of-way in Ann Arbor almost exclusively. A series of ordinances will be proposed that will address traffic safety concerns in the City. The first meeting to discuss this issue will be held at Slauson Middle School on July 22, 2009 from 6-7 p.m. and will focus on concerns at the corner of Washington and South Seventh Street.

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo announced that the Nixon and Huron Parkway round-a-bout is complete. He commended staff on executing that project in a phenomenal manner. Councilmember Rapundalo added that construction has begun on Washtenaw, between Huron Parkway and US-23 for replacement of a watermain.

COUNCILMEMBER HIGGINS

Councilmember Higgins asked that the City Administrator give an update on the condition and process of the stadium bridges.

Mr. Fraser said the conceptual design for the bridges would be coming to Council to review on August 17, 2009.

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

A motion was made by Councilmember Derezinski, seconded by Councilmember Briere, that Council enter into Closed session. On a roll call, the vote was as follows with the Mayor declaring the motion carried (The meeting recessed at 7:50 p.m.):

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:54 p.m.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**PH-1 09-0704**

Resolution to Approve AATA Plymouth Road Park and Ride Site Plan, 6.00 Acres, 3700 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve AATA Plymouth Road Park and Ride Site Plan, 6.00 Acres, located at 3700 Plymouth Road. Notice of public hearing was published July 15, 2009.

Jim Mogensen, 3780 Green Brier Boulevard, addressed Council regarding the AATA Plymouth Road Park and Ride site plan. He said that the plan would solve the park and ride issue, but expressed concerns about pedestrians crossing the street to make connections.

Thomas Partridge, Scio Township resident, asked that the resolution be postponed to address the broader issue of transportation in southeast Michigan.

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

PH-2 09-0721

Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)

A public hearing was conducted on the proposed Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, located at 407-437 South Fifth Avenue. Notice of public hearing was published July 15, 2009.

The following people spoke in opposition of the proposed City Place Site Plan and Development Agreement:

Libby Hunter, resident on First Street

Paul Lambert, 201 West William

Karen Sidney, 100 Longman Lane

Glen Thompson, 100 Longman Lane

Susan Weinberg, 712 E. Ann

Tom Whitaker, 444 S. Fifth Avenue

Member of the audience

Charles Louse, Ann Arbor resident

Ellen Baker, representing the Michigan Historic Preservation Network and the National Trust for Historic Preservation

Piotr Michalowski, 451 S. Fourth Avenue, spoke in opposition and asked Council to support the moratorium.

Lars Bjorn, 712 E. Ann St.

Jim Mogensen, addressed Council regarding the process that took place with the City Place Site Plan.

There being no further comment, the Mayor declared that the hearing would be continued in the event the resolution is postponed to a later date.

PH-3 09-0708

Resolution Confirming Application for, and Acceptance and Appropriation of the 2009 Edward Byrne Memorial Justice Assistance Grant From the United States Department of Justice, Bureau of Justice Assistance to Police Services

A public hearing was conducted on the proposed Resolution Confirming Application for, and Acceptance and Appropriation of the 2009 Edward Byrne Memorial Justice Assistance Grant From the United States Department of Justice, Bureau of Justice Assistance to Police Services. Notice of public hearing was published July 5, 2009.

Lou Glorie, resident on Brooks Street, asked for reassurance that the taking of these funds will not in any way obligate the city to participate in the activities of ICE.

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

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 09-0709 Regular Session Minutes of July 6, 2009

A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Minutes be Approved with Corrections. On a voice vote, the Mayor declared the motion carried.

The following corrections were made:

Friendly amendment to DC-6; Remove the word [parcel] and replace with PARKING LOT SITE. A second change in the final Resolved Clause change the word [completion] to COMMENCEMENT.

CA CONSENT AGENDA**Passed on consent agenda**

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

CA-1 09-0562 Resolution to Approve Amendment No. 3 to the Professional Services Agreement with CDM Michigan Inc. (\$100,000.00) for Technical Engineering Services at the Water Treatment Plant

Enactment No: R-09-299

CA-2 09-0570 Resolution to Approve Amendment No. 1 to the Professional Services Agreement with OHM, Inc. (\$75,000.00) for Technical Engineering Services

Enactment No: R-09-300

CA-3 09-0584 Resolution Authorizing a Purchase Order to Washtenaw County for the City of Ann Arbor's Share of the Maintenance of the Shared 800 MHz Simulcast System (\$94,650.00)

Enactment No: R-09-301

CA-4 09-0672 Resolution to Approve a Purchase Order to Cogsdale Corporation for the Renewal of the Water Utility Customer Information System Annual Software Maintenance Agreement for FY2010 (not to exceed \$48,660.00)

Enactment No: R-09-302

CA-5 09-0661 Resolution Recognizing the Wild Swan Theater as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License

Enactment No: R-09-303

- CA-6 09-0699** Resolution to Approve a Temporary Liquor License to Ozone House Youth and Family Services - End of Summer/Fall Harvest Dinner on Friday, September 11, 2009 at the Ann Arbor Farmer's Market
Enactment No: R-09-304

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

- C-1 09-0227** An Ordinance to Amend Sections 5:1, 5:2, 5:3, 5:4, 5:6, 5:50, 5:61, 5:64, 5:65, 5:67, 5:88 and 5:106; to Repeal Sections 5:10.19, 5:10.20, 5:44 and 5:44A and to Replace them with New Sections 5:10.19, 5:10.20 and 5:44; and to Repeal Section 5.10.22 And 5:45A of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor (To Revise Zoning Definitions, to Eliminate C2A, C2A/R and C2B/R Zoning Districts, to Create D1 [Downtown Core] and D2 [Downtown Interface] Zoning Districts and Permitted Uses and Standards, to Add Downtown Character Overlay Districts and Standards, and to Revise Floor Area Premiums) and to Amend Sections 5:167 and 5:169 of Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor (To Revise Off-Street Parking Requirements for the Downtown Special Parking District), and to Amend the Zoning Map of Section 5:4 of Title V of the Code of Ann Arbor to Designate Certain Properties as D1, D2 and PL (Public Land) and to Further Designate Certain Properties as being Part of the Downtown Character Overlay Zoning Districts(CPC Recommendation: Approval - 8 Yeas and 1 Nay)

Enactment No: ORD-09-12

Council was requested to send Jayne Miller any questions regarding the ordinance during the postponement.

A motion was made by Councilmember Higgins, seconded by Councilmember Derezinski, that the Ordinance be postponed to the City Council and should be returned by 9/8/2009. On a voice vote, the Mayor declared the motion carried.

- C-2 09-0666** An Ordinance to Amend Chapter 55, Rezoning of 12.90 Acres from TWP (Township District) to PL (Public Land District), Narrow Gauge Property, South Side of Narrow Gauge Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-22)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Ordinance be approved on first reading and should return for a second reading on 8/17/09. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-09-22

- C-3 09-0667** An Ordinance to Amend Chapter 55, Rezoning of 11 Park Properties (Pittsview Park, Windemere Park, Waymarket Park, Turnberry Park, Stapp Nature Area, Redbud Nature Area, Maryfield Wildwood Park, Oakwoods Nature Area, Molin Nature Area, Foxfire West Park, Crary Park) from R1B, R1C, R1D (Single-Family Dwelling), R2B (Two-family Dwelling), R3 (Townhouse Dwelling Unit), R4A, R4B, and R4D (Multiple-Family Dwelling District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-09-23)

A motion was made by Councilmember Briere, seconded by Councilmember Greden, that the Ordinance be approved on first reading and should return for a second reading on 8/17/2009. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-09-23

- C-4 09-0665** An Ordinance to Amend Chapter 55, Section 5:10.23 (C3 Fringe Commercial District) to Allow Temporary Outdoor Sales and the Display of Goods and Services as a Special Exception Use in the C3 Zoning District (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the Ordinance be approved on first reading and should return for a second reading on 8/17/2009. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-09-24

- C-5 09-0731** An Ordinance to Amend Section 5:166 of Chapter 59, Off-Street Parking, of Title V of the Code of the City of Ann Arbor

Sponsors: Greden

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

A motion was made by Councilmember Higgins, seconded by Councilmember Derezinski, that the ordinance be referred to the City Planning Commission for review. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 09-0715** Resolution to Impose a Temporary Moratorium on all New Development that Requires Site Plan Approval, Expansion of Existing Development that Requires Site Plan Approval, or Zoning Changes within the R4C and R2A Zoning Districts in Conjunction with the Study and Revision of the Zoning Ordinance Pertaining to these Districts

Sponsors: Anglin

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

Council requested information from staff regarding notifying all affected property owners of the moratorium.

A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, that the Resolution be postponed to the City Council and due back on 8/6/2009. On a voice vote, the Mayor declared the motion carried with one no-vote by Councilmember Anglin.

DB New Business - Boards and Commissions:

DB-1 09-0704 Resolution to Approve AATA Plymouth Road Park and Ride Site Plan, 6.00 Acres, 3700 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Enactment No: R-09-305

DB-2 09-0721 Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)

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

A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the Resolution be postponed until 1/19/2010, with the following contingencies: 1) That Council direct Planning and Development Services to accept and process a PUD application for this site following its established procedures. 2) That if the developer wishes to withdraw the PUD application, that the City Place site plan be scheduled for public hearing and consideration within 35 days of receipt of a written request of the withdrawal from the developer. On a voice vote, the Mayor declared the motion carried.

DS New Business - Staff:

DS-1 09-0587 Resolution to Approve a Professional Legal Services Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court Appointed Counsel to Indigent Defendants (NTE \$210,000.00)

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

Enactment No: R-09-306

DS-2 09-0646 Resolution to Approve a Purchase Order to The Ultimate Software Group Inc. for the Renewal of UltiPro Human Resource and Payroll System Maintenance Agreement and Subscription Fees for FY2010 (\$174,000.00)

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

Enactment No: R-09-307

- DS-3 09-0674** Resolution to Approve a 23-Month Service Agreement with Washtenaw County for Provision of Information Technology Management Services (Not to Exceed \$132,000.00)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-308
- DS-4 09-0530** Resolution to Approve Amendment No. 2 to the Professional Services Agreement with CDM Michigan, Inc. for the Footing Drain Disconnection Program (\$975,500.00)
- A motion was made by Councilmember Teall, seconded by Councilmember Rapundalo, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-309
- DS-5 09-0549** Resolution to Purchase Recycling Carts from Cascade Engineering (\$127,050.00 Annually)
- 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-09-310
- DS-6 09-0555** Resolution to Award a Contract to Posen Construction, Inc. for the Lime Sludge Lagoon Improvements Project (\$275,808.00)
- 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-09-311
- DS-7 09-0566** Resolution to Authorize a Sole Source Purchase Order to Carrier & Gable, Inc. for the Purchase of Traffic Signal Materials (\$400,000.00)
- A motion was made by Councilmember Taylor, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-09-312
- DS-8 09-0585** Resolution to Appropriate and Amend the FY2010 Field Operations Unit's General Fund Budget (\$57,170.00), to Appropriate and Amend the Fleet and Facility Unit's FY2010 budget (\$138,000.00) and to Approve the Purchase of Three Commercial 16 foot Four Wheel Drive High Capacity Zero Turn Mowing Units from Spartan Distributors (State of Michigan Contract #71B7200194) for \$235,170.00 (8 Votes Required)
- A motion was made by Councilmember Greden, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-09-313

DS-9 09-0591 Resolution to Approve a Change Order with E.T. MacKenzie Company for the Miller - Maple Transmission Water Main Project (\$128,826.07)

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-09-314

DS-10 09-0596 Resolution to Appropriate and Amend the FY2010 Field Operations Unit Sanitary Sewer Operating Budget and Approve the Purchase of One Mini Excavator with Trailer from Buck & Knobby Equipment Company, Inc. ITB # 4030 (\$134,870.00) (8 Votes Required)

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

Enactment No: R-09-315

DS-11 09-0609 Resolution to Remove Parking on the West Side of Dellwood Drive

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

Enactment No: R-09-316

DS-12 09-0639 Resolution to Approve Riverside Park Parking Lot Land Lease with the University of Michigan (8 Votes Required)

This item was removed from the agenda.

DS-13 09-0669 Resolution to Approve Malletts View Office Center Revised Elevations, 385 East Eisenhower Parkway

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-09-317

DS-14 09-0693 Resolution Accepting 10-foot wide Public Access Easement from JAG EISENHOWER, L.L.C. Mallett's View Office Center - 385 E. Eisenhower Parkway (8 Votes Required)

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

Enactment No: R-09-318

DS-15 09-0701 Resolution Accepting Easement for Public Right-of-Way from the Public Schools of the City of Ann Arbor (West Stadium Boulevard (Suffolk to Hutchins) Improvements Project 601 W. Stadium Boulevard - Pioneer High School) (8 Votes Required)

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

Enactment No: R-09-319

DS-16 09-0700 Resolution Rescinding Resolution R-09-287 and Setting a Public Hearing on August 6, 2009 to Receive Public Comment on the Application of AVL Inc, Located at 1801 E. Ellsworth, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2009-030

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

Enactment No: R-09-320

DS-17 09-0671 Amendment to Resolution R-09-064 Authorizing the Use of Build America Bonds in Place of General Obligation Capital Improvement Bonds to Fund Construction of a Parking Structure at South Fifth Avenue

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

Enactment No: R-09-321

DS-18 09-0708 Resolution Confirming Application for, and Acceptance and Appropriation of the 2009 Edward Byrne Memorial Justice Assistance Grant From the United States Department of Justice, Bureau of Justice Assistance to Police Services

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

Enactment No: R-09-322

E COMMUNICATIONS FROM THE MAYOR

E-1 09-0694 Nominations & Appointments

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

APPROVED:

Airport Advisory Commission

Gordon Garwood replacing-Chris Ballard
546 Glendale Circle
Ann Arbor, MI 48103
Term: July 20, 2009-July 20, 2012

Downtown Development Authority

Newcombe Clark replacing-Rene Greff
113.5 W. Liberty
Ann Arbor, MI 48104
Term: July 20, 2009-July 31, 2013

Planning Commission

Diane Giannola replacing-Craig Borum
3252 Alpine Drive
Ann Arbor, MI 48108
Term: July 20, 2009-July 31, 2012

DDA Mutually Beneficial Committee (Nominated at the 6/15/09 meeting)

Councilmember Greden
Councilmember Teall
Councilmember Hohnke

E-2 09-0745 Appointments - Confirmations

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

Building Board of Appeals

Sam Callan (Re-Appointment)
2455 Mershon
Ann Arbor, MI 48103
Term: August 6, 2009-August 6, 2014

Downtown Development Authority

Leah Gunn (Re-Appointment)
1308 E. Stadium Blvd.
Ann Arbor, MI 48104
Term: August 6, 2009-July 31, 2013

Russell Collins (Re-Appointment)
2585 Hollywood St.
Ann Arbor, MI 48103
Term: August 6, 2009- July 31, 2013

Economic Development Corporation Board

Stephen Ranzini (Re-Appointment)
University Bank
2015 Washtenaw Ave.
Ann Arbor, MI 48104
Term: August 6, 2009-August 6, 2015

Energy Commission

Chuck Hookam (Re-Appointment)
2902 Eisenhower Parkway
Ann Arbor, MI 48108
Term: August 6, 2009-August 6, 2012

Sign Board of Appeals (Filling Vacancy)

Alex Milshteyn
3170 Dolph Dr.
Ann Arbor, MI 48103
Term: August 6, 2009-August 6, 2012

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema submitted reports on the following completed annexation:

G-1 09-0696 Annexation of the Narrow Gauge Property

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

H The following communications were referred as indicated:

Passed on consent agenda

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

H-1 09-0664 Communication from Comcast regarding channel changes effective July 30, 2009

H-2 09-0727 Communication from Janis A. Bobrin, Chair of the Drainage Board for the Allen Creek Drain, regarding a public hearing notice concerning public corporations to be assessed and apportionment of costs of the Allen Creek Drain Drainage District Pioneer High School Project scheduled for July 30, 2009- Public Services

H-3 Communication from John L. Etter regarding opposition proposed amendments to Ann Arbor City Downtown Plan and Zoning Ordinance - Sloan Plaza Condominiums (See C-1 for copy of letter.)

H-4 Email Communications from Faye Bradbury, Mrs. Daryl M. Hafter and Robert Schweitzer regarding opposition of the proposed City Place Project. (See DB-2 for emails.)

H-5 City Place Communication from Mark & Judy Wenzel expressing opposition of the project.

I The following minutes were received for file:

I-1 09-0548 Greenbelt Advisory Commission Minutes of May 1 and 13, 2009

I-2 09-0688 Ann Arbor Downtown Development Authority Meeting Minutes - June 3, 2009

I-3 09-0689 Downtown Area Citizens Advisory Council Minutes - June 3, 2009

I-4 09-0698 Ann Arbor Housing Commission Annual Board Minutes - May 20, 2009

I-5 09-0720 Council Liquor License Review Committee - June 5 and June 19, 2009

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

1. Vivienne Armentrout - Moratorium Resolution

Vivienne Armentrout addressed Council regarding the proposed R4C Moratorium Resolution. She said that the resolution excludes any improvements on property other than those requiring a site plan. She noted that most people owning parcels in that zoning would not be affected by the moratorium.

2. Tim Hall - AATA Bus Services at Arborland and Discriminatory Identification Requirement at Bar Louie

Tim Hall, graduate student at the University of Michigan, addressed Council regarding AATA at Arborland. The buses no longer pull into Arborland. He asked that the City install a crosswalk on Washtenaw and Pittsfield Roads soon to assist citizens in crossing Washtenaw. He also expressed concern regarding an incident at Bar Louie with State issued identification cards. Bar Louie would only accept a Michigan Driver's License, military IDs and passports as forms of identification. Mr. Hall does not drive and only had a State Issued Michigan ID card.

3. Charles - Make Ann Arbor Better

Charles, a member of the audience, suggested using compost bins and providing Ann Arbor currency as ways to make the City better and more economically viable.

ADJOURNMENT

A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:39 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 20, 2009; 7:30 P.M.

REPLAYS: TUESDAY, JULY 21, 2009; 10:00 A.M. AND FRIDAY, JULY 24, 2009 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 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

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