

City of Ann Arbor

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



Action Minutes

Tuesday, January 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:** 9 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sandi Smith, Councilmember Christopher Taylor, and Councilmember Carsten Hohnke
- Absent:** 2 - Councilmember Sabra Briere, and Councilmember Tony Dereziński

APPROVAL OF AGENDA

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

INT INTRODUCTIONS

INT-1 09-0006 Environmental Assessment Process for Airport Improvements

Deleted from agenda on 1/20/09

INT-2 09-0014 AATA Annual Update - David Nacht, Chairman of the Ann Arbor Transportation Authority Board

David Nacht, AATA Board Chair, updated Council regarding the Ann Arbor Transportation Authority. He said the AATA has invested in hybrid buses and they have changed routes to be more cost effective. They are considering a fare increase in the future. Public Hearings will be scheduled to receive public input on the rate increase.

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. Glen Thompson - Farmers Market Master Plan Construction Design Project Budget (DS-9)
Glen Thompson, 100 Longman Lane, addressed Council regarding the Farmers Market. He expressed concern with the amount of money being invested and spent on the Market renovations project.

2. Elaine Rumman - Gaza
Elaine Rumman, 1310 Pomona, addressed Council regarding Gaza. She spoke in opposition of the occupation of Palestinian lands.

3. Thomas Partridge
Thomas Partridge, 4220 Eyrie Dr. in Scio Township, addressed Council regarding empowering the disadvantaged by housing the homeless, providing affordable transportation, health care and education to America's most vulnerable residents.

4. Alex Levine - Recycling
Alex Levine, 1300 E. Ann, #4505, addressed Council regarding recycling. He suggested the City look into recycling plastic cups that are frequently used at Michigan football tailgates.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 08-1061** An Ordinance to Amend Chapter 55, Rezoning of 7 Park Properties (Evergreen Park, Hilltop Nature Area, Ponds Park, Riverside Park, Winewood Thaler Park, Burr Oak Park No. 2, and Iroquois Park) from R1C (Single-Family Dwelling District), PUD (Planned Unit Development District) and C3 (Fringe Commercial District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-08-40)
- A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 7 Park Properties (Evergreen Park, Hilltop Nature Area, Ponds Park, Riverside Park, Winewood Thaler Park, Burr Oak Park No. 2, and Iroquois Park, from R1C (Single-Family Dwelling District), PUD (Planned Unit Development District) and C3 (Fringe Commercial District) to PL (Public Land District). Notice of public hearing was published January 4, 2009.*
- Thomas Partridge, Scio Township, spoke in opposition of the proposed rezoning.*
- There being no further comment, the Mayor declared the hearing closed.*

PH-2 08-1083

An Ordinance to Amend Section 9:6 (Graffiti) of Chapter 106 of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-08-41)

Sponsors: Teall, Greden, Hohnke and Taylor

A public hearing was conducted on the proposed amendment to Chapter 106, Section 9:6 Graffiti of Title IX of the Code of the City of Ann Arbor. Notice of public hearing was published January 18, 2009.

Glen Thompson, 100 Longman Lane, spoke in opposition of the proposed changes to the Graffiti Ordinance.

Newcombe Clark, 113 W. Liberty, said that the proposed ordinance is in response to concerns that the downtown business owners had about increased graffiti in the downtown and how it was being handled.

Karen Sidney, 100 Longman Lane, spoke in opposition of the proposed ordinance.

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

PH-3 08-1163

Resolution to Approve 808 Tappan Street Site Plan, 0.25 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to approve 808 Tappan Street Site Plan, 0.25 acre. Notice of public hearing was published January 4, 2009.

Michael VanGoor, architect for the project, was available to answer questions of Council.

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

PH-4 08-1164

Resolution to Approve 833 East University Site Plan, 0.2 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to approve 833 East University Site Plan, 0.2 acre. Notice of public hearing was published January 4, 2009.

Michael VanGoor, representing the owner, was available to answer questions of Council.

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

PH-5 08-1165

Resolution to Approve 1012 Hill Street Site Plan, 0.2 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to approve 1012 Hill Street Site Plan, 0.2 acre. Notice of public hearing was published January 4, 2009.

Michael VanGoor, representing the owner, was available to answer questions of Council.

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

- PH-6 08-1137** Resolution to Approve FY2010-2015 Capital Improvements Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
A public hearing was conducted on the proposed Resolution to approve FY 2010-2015 Capital Improvements Plan.
- Karen Sidney, 100 Longman Lane, spoke in opposition of shifting tree planting from the General Fund.*
- There being no further comment, the Mayor declared the hearing closed.*

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER HIGGINS

Councilmember Higgins asked that staff in Public Services pick up compost bags that have been left out front at 1461 Stadium since December 1, 2008.

COUNCILMEMBER ANGLIN

Councilmember Anglin expressed concerns regarding snow removal in the City. He stated he is concerned about seniors who are forced to shovel driveways that have been plowed in by City crews. The driveways are packed with frozen snow and ice after the plows pass through the street.

A APPROVAL OF COUNCIL MINUTES

- A-1 09-0018** City Council Minutes Regular Session Minutes of January 5, 2009

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

CA CONSENT AGENDA

Passed on consent agenda

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

- CA-1 08-1150** Resolution to Approve Contract Amendment #3 to the Professional Services Agreement between the City and URS Corporation for the Snow Removal Equipment Building and Box Hangar Project at the Ann Arbor Airport (\$6,000.00)
 Enactment No: R-09-019
- CA-2 08-1154** Resolution to Accept Board of Insurance Administration Meeting Minutes of December 19, 2008
 Enactment No: R-09-020
- CA-3 08-1155** Resolution to Authorize the Purchase of a Steam Sterilizer from Primus Sterilizer Company, Bid No. ITB 3980 (\$41,072.00)
 Enactment No: R-09-021

B ORDINANCES - SECOND READING

B-1 08-1061 An Ordinance to Amend Chapter 55, Rezoning of 7 Park Properties (Evergreen Park, Hilltop Nature Area, Ponds Park, Riverside Park, Winewood Thaler Park, Burr Oak Park No. 2, and Iroquois Park) from R1C (Single-Family Dwelling District), PUD (Planned Unit Development District) and C3 (Fringe Commercial District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-08-40)

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

B-2 08-1083 An Ordinance to Amend Section 9:6 (Graffiti) of Chapter 106 of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-08-41)

Sponsors: Teall, Greden, Hohnke and Taylor

Enactment No: ORD-08-41

08-1083

An Ordinance to Amend Section 9:6 (Graffiti) of Chapter 106 of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-08-41)

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

Sub Section 9:6

...(3) NO PERSON WHO OWNS OR OTHERWISE CONTROLS OR MANAGES ANY PROPERTY SHALL PERMIT OR ALLOW ANY GRAFFITI TO BE OR REMAIN ON ANY SURFACE OR STRUCTURE ON THE PROPERTY BEYOND THE TIME INDICATED IN A NOTICE, WHICH SHALL BE NO LESS THAN SEVEN (7) CALENDAR DAYS AFTER THE NOTICE IS POSTED ON THE PROPERTY OR DELIVERED TO THE PROPERTY OWNER AND NO LESS THAN NINE (9) CALENDAR DAYS IF THE NOTICE IS MAILED. IF REMOVAL OF THE GRAFFITI BY THE DATE SET IN THE NOTICE IS NOT POSSIBLE DUE TO WEATHER OR OTHER REASONABLE CAUSE, THEN ON OR BEFORE THE DATE SET IN THE NOTICE THE PERSON TO WHOM THE NOTICE IS ISSUED OR HIS OR HER AGENT SHALL CONTACT THE CITY AS INDICATED IN THE NOTICE TO REQUEST AN EXTENSION. REMOVAL OF GRAFFITI MAY BE BY MEANS OF ACTUAL PHYSICAL REMOVAL OR COVERING THE GRAFFITI OVER WITH PAINT OR OTHER SIMILAR SUBSTANCE APPLIED TO THE SURFACE OR STRUCTURE.

A VIOLATION OF THIS SUBSECTION IS NOT A CIVIL INFRACTION OR A MISDEMEANOR.

(4) NOTICE BY THE CITY TO REMOVE GRAFFITI FROM A PROPERTY MAY BE MADE BY MAILING IT TO THE PROPERTY OWNER, AS SHOWN ON ASSESSMENT RECORDS, DELIVERING IT TO THE OWNER OR POSTING IT AT A CONSPICUOUS PLACE ON THE PROPERTY.

(5) IF ANY GRAFFITI REMAINS ON THE PROPERTY BEYOND THE TIME INDICATED IN A NOTICE, THEN THE CITY MAY REMOVE THE GRAFFITI OR HAVE IT REMOVED IN ANY REASONABLE MANNER. THE COSTS TO THE CITY FOR REMOVAL AND ADMINISTRATION SHALL BE CHARGED TO THE OWNER AND, IF NOT PAID, ASSESSED AGAINST THE PROPERTY IN ACCORDANCE WITH SECTION 1:292 OF CHAPTER 13 OF THIS CODE. ...

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

****Council would like to have staff bring back information for further review, in six months, on the implementation of this ordinance.*

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

DS-1 09-0001

Resolution Authorizing Summary Publication of Ordinance to Amend Section 9:6 (Graffiti) of Chapter 106 of Title IX of the Code of the City of Ann Arbor (Ordinance No. ORD-08-41)

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

Enactment No: R-09-022

RECESS

The Mayor declared a recess at 8:52 p.m. and reconvened the meeting at 9:05 p.m.

C ORDINANCES - FIRST READING

- C-1 08-1157** An Ordinance to Amend Chapter 55, Rezoning of 1.25 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Muhleman Property, 3055 Dover Place and Contiguous Vacant Parcel (CPC Recommendation: Approval - 6 Years and 0 Nays) (Ordinance No. ORD-09-01)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Ordinance be Approved on First Reading to the City Council, due on 2/16/2009. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-09-01

- C-2 08-1158** An Ordinance to Amend Chapter 55, Rezoning of 0.47 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Willing Property, 1545 Chalmers Drive (CPC Recommendation: Approval - 6 Years and 0 Nays) (Ordinance No. ORD-09-02)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Ordinance be Approved on First Reading to the City Council, due on 2/16/2009. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-09-02

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

- DC-1 09-0019** Resolution for Community Events Fund Disbursements from the FY 09 Budget (8 votes required)

Sponsors: Higgins and Teall

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

Enactment No: R-09-023

- DC-2 09-0071** Resolution Approving the Issuance of a Purchase Order to Comcast Cable for the Relocation of the City's Comcast-operated Institutional Fiber Network Services (\$45,385.61)

Sponsors: Teall, Greden and Higgins

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

Enactment No: R-09-024

DC-3 09-0066 Resolution Requesting the DDA to Begin Discussions to the Parking Agreement with the City for a Mutually Beneficial Financial Agreement to Extend Payments to the City

Sponsors: Smith, Greden and Teall

With unanimous consent of Council, the word "Negotiations" was replaced with the word "Discussions" throughout the resolution.

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

Enactment No: R-09-025

DC-4 09-0073 Resolution to Appoint Members to the Commercial Solid Waste Rate Schedule Oversight Committee

Sponsors: Teall and Hohnke

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

Enactment No: R-09-026

DB New Business - Boards and Commissions:

DB-1 08-1163 Resolution to Approve 808 Tappan Street Site Plan, 0.25 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Enactment No: R-09-027

DB-2 08-1164 Resolution to Approve 833 East University Site Plan, 0.2 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Enactment No: R-09-028

DB-3 08-1165 Resolution to Approve 1012 Hill Street Site Plan, 0.2 Acre (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

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

Enactment No: R-09-029

- DB-4 08-1137** Resolution to Approve FY2010-2015 Capital Improvements Plan (CPC Recommendation: Approval - 8 Yeas and 0 Nays)
- A motion was made by Councilmember Teall, seconded by Councilmember Rapundalo, that the Resolution/Public Hearing be approved. On a voice vote, the Mayor declared the motion carried, with one no-vote made by Councilmember Higgins.**
- Enactment No: R-09-030
- DS Old Business - Staff:**
- DS-2 08-1132** Resolution Accepting Easement for Public Utilities from the Public Schools of the City of Ann Arbor (Miller-Maple Transmission Water Main Project - located at Forsythe and Wines Schools) (8 Votes Required)
- A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, 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-09-031
- DS New Business - Staff:**
- DS-3 08-1118** Resolution to Approve an Agreement with Greeley and Hansen, LLC for Construction Engineering Services for the Residuals Handling Improvements Project at the Wastewater Treatment Plant, RFP No. 601 (\$4,225,604.00)
- 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-09-032
- DS-4 08-1091** Resolution to Accept and Appropriate Grant Funding from the Michigan Department of Natural Resources (\$20,000.00) and for Approval of Professional Services Agreement with Davey Resource Group, a Division of Davey Tree Expert Company, (\$243,500.00) for the GIS based inventory of City owned Street and Park Trees (8 Votes Required)
- A motion was made by Councilmember Taylor, seconded by Councilmember Teall, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried, thus satisfying the eight-vote requirement:**
- Yeas:** 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Greden, Councilmember Teall, Councilmember Anglin, Councilmember Smith, Councilmember Taylor, and Councilmember Hohnke
- Nays:** 1 - Councilmember Higgins
- Absent:** 2 - Councilmember Briere, and Councilmember Derezinski
- Enactment No: R-09-033

- DS-5 08-1147** Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment and Preliminary Engineering for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$179,000.00)
- A motion was made by Councilmember Smith, seconded by Councilmember Higgins, that the Resolution be approved.**
- A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Resolution be postponed to the City Council and should be returned by 2/2/2009. On a voice vote, the Mayor declared the motion carried.**
- DS-6 08-1148** Resolution to Approve a Grant Contract with the Michigan Department of Transportation for Work Related to the Environmental Assessment and Integrated Noise Modeling for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$75,000.00)
- A motion was made by Councilmember Higgins, seconded by Councilmember Taylor, that the Resolution be approved.**
- A motion was made by Councilmember Higgins, seconded by Councilmember Taylor, that the Resolution be postponed to the City Council and should be returned by 2/2/2009. On a voice vote, the Mayor declared the motion carried.**
- DS-7 08-1144** Resolution to Approve the October 2008 Professional Services Agreement between the City and URS Corporation Great Lakes for Work Related to the Environmental Assessment and Preliminary Engineering for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$186,000.00)
- A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Resolution be approved.**
- A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Resolution be postponed to the City Council and should be returned by 2/2/2009. On a voice vote, the Mayor declared the motion carried.**
- DS-8 08-1145** Resolution to Approve the December 16, 2008 Professional Services Agreement between the City and Smith Group JJR, LLC for Work Related to the Environmental Assessment for the Safety Extension of Runway 6/24 at the Ann Arbor Municipal Airport (\$112,489.53)
- A motion was made by Councilmember Higgins, seconded by Councilmember Taylor, that the Resolution be approved.**
- A motion was made by Councilmember Higgins, seconded by Councilmember Taylor, that the Resolution be postponed to the City Council and should be returned by 2/2/2009. On a voice vote, the Mayor declared the motion carried.**

DS-9 08-1162 Resolution to Approve Amendment No. 1 to Existing Professional Services Contract with Beckett & Raeder, Inc. to Increase the Contract Budget by \$122,862.62 for a Total Contract Amount of \$232,246.62, Accept and Appropriate \$13,538.67 Grant from the DDA, Appropriate \$30,661.97 from the Market Fund Fund Balance, Transfer \$48,000.00 from the Stormwater Fund FY09 Operations and Maintenance Budget, Appropriate \$30,661.98 from the Parks Rehabilitation and Development Millage Fund Balance, and Appropriate \$122,862.62 from the Parks Rehabilitation and Development Millage to the Farmers Market Master Plan Construction Design Project Budget to Create a Total Project Budget of \$2,056,900.00 (8 Votes Required)

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

A motion was made by Councilmember Higgins, seconded by Councilmember Greden, that the Resolution be postponed to the City Council and should be returned by 2/2/2009. On a voice vote, the Mayor declared the motion carried.

DS-10 08-1170 Resolution Establishing Ann Arbor Industrial Development District 2009-010 for 3775 Varsity Drive

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

Enactment No: R-09-034

DS-11 08-1177 Resolution Requesting the State Tax Commission Revoke Pfizer Company's (formerly Warner-Lambert) Industrial Facility Exemptions Issued in 2002

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-09-035

E COMMUNICATIONS FROM THE MAYOR

E-1 09-0069 1/20/09 Appointment confirmations

Ann Arbor Public Art Commission

Cheryl Zuellig (Replacing - Tim Rorvig)

702 Collegewood

Ypsilanti, MI 48197

Term: January 20, 2009-December 31, 2011

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

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER TEALL*

Councilmember Teall announced that Festifools is having a fundraising pancake breakfast on January 24, 2009 from 10 a.m. to noon at the Campus Safety Services Building located at 1239 Kipke Dr.

F COMMUNICATIONS FROM CITY ADMINISTRATOR*None.***G COMMUNICATIONS FROM CITY ATTORNEY**

- G-1 08-1172** Annexation of the Willing Property, 1545 Chalmers Drive, Ann Arbor Township
- G-2 08-1174** Annexation of the Muhleman Property, 3055 Dover Place and Vacant Lot, Ann Arbor Township

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 Smith, 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 09-0008** Communication from Janis A. Bobrin, Chair of the Drainage Board for the Allen Creek Drain regarding notice of hearings concerning public corporations to be assessed and apportionment of costs of the Allen Creek Drain Drainage District Farmer's Market Project, the Stadium Boulevard Project and the Pioneer High School Project scheduled for January 16, 2009 - File
- H-2 09-0009** Communication from the Washtenaw Area Transportation Study (W.A.T.S.) regarding their monthly publication of The Vehicle, January 2009, Vol. 1 - File
- H-3 09-0010** Communication from the Michigan Liquor Commission (MLCC) regarding a denial of a request to transfer the ownership of an escrowed 2008 SDD license from 3050 Platt to 2980 Packard d/b/a Rite Aid - File
- H-4 09-0011** Communication from Comcast regarding service offerings to fulfill customer demand for more High Definition (HD) programming and advanced digital services - CTN
- H-5 09-0017** Communication from the office of the Secretary of State Terry Lynn Land, regarding receipt and filing of Charter Amendments passed on November 4, 2008 - File
- H-6 09-0021** Communication from Superior Charter Township Planning Commission regarding notice of hearing on an application from St. Joseph Mercy Hospital to amend the Area Plan for the Critical Care Tower Phase 3C - Planning and Development Services

I The following minutes were received for file:

- I-1 **08-1146** Ann Arbor Housing Commission Regular Board Meeting Minutes - 11/19/08
- I-2 **08-1153** Ann Arbor Board of Review Meeting Minutes - December 2008
- I-3 **08-1156** Cable Communications Commission - August 26, 2008
- I-4 **08-1159** City Planning Commission Minutes of November 18, 2008

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

1. Tom Partridge - Resolution Congratulating President Barack Obama

Tom Partridge, Scio Township resident, asked that Council send a resolution congratulating Barack Obama as President of the United States and also invite the President to visit Ann Arbor.

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

A motion was made by Councilmember Greden, seconded by Councilmember Teall, that the meeting be recessed to 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 10:02 p.m.:

Yeas: 9 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Smith, Councilmember Taylor, and Councilmember Hohnke

Nays: 0

Absent: 2 - Councilmember Briere, and Councilmember Derezinski

MEETING RECONVENED

A motion was made by Councilmember Taylor, seconded by Councilmember Anglin, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:10 p.m.

ADJOURNMENT

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

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, JANUARY 20, 2009 7:00 P.M.

REPLAYS: WEDNESDAY, JANUARY 21, 2009, 10:00 A.M. AND FRIDAY JANUARY 23, 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.

**Jacqueline Beaudry
Clerk of the Council**

**Anissa R. Bowden
Recording Secretary**