

# City of Ann Arbor

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



## Meeting Minutes

Monday, May 21, 2012

7:00 PM

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

**City Council**

**CALL TO ORDER**

*Mayor Hieftje called the meeting to order at 7:13 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron St.*

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE****ROLL CALL OF COUNCIL**

- Present:** 9 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Christopher Taylor and Councilmember Jane Lumm
- Absent:** 2 - Councilmember Tony Derezinski and Councilmember Carsten Hohnke

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Agenda be approved with the following change:**

**Move: DC-2 Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Sakti3 Corporation (Consider after the Consent Agenda).**

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

**INT INTRODUCTIONS**

*Councilmember Hohnke arrived at 7:18 p.m.*

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

**INT-1 [12-0695](#) Legislative Update**

*Kirk Profit, the City's governmental consultant in Lansing, updated City Council on the State budget and the impacts to the City related to changes in State-shared revenue. He said he was expecting the City to receive the same State revenue in the upcoming budget year.*

**Received and Filed**

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

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

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

**1. Thomas Partridge - Housing and Human Services, Greenbelt Commission, Budget. (H-2, DS-6)**

*Thomas Partridge, Ann Arbor Resident, addressed Council regarding Housing and Human Services, the Greenbelt Advisory Commission and the 2012 Budget.*

**2. Duane Maladecki - Recycle Bank**

*Duane Maladecki, 39160 Forrest Creek, in Westland, Michigan, addressed Council regarding Recycle Bank. Mr. Maladecki talked about the agreement with the City, amendments that were made to that agreement, and proposed changes to the program. He urged Council to continue its relationship with Recycle Bank.*

**3. Nancy Gerler - Smart Meters**

*Nancy Gerler, 1613 Dicken Dr., updated Council on the installation of smart meters by DTE. She said that Ypsilanti Township voted unanimously to enact a moratorium on smart meter installation, until more information is available on the negative impacts and a State decision has been made. She urged Council to consider a moratorium as well.*

**4. Kermit Schlansker - Energy Farm Utilities**

*Kermit Schlansker, 2960 Marshall, addressed Council regarding the idea of energy farm utilities.*

**5. Esther Choi - Safety in Ann Arbor**

*Esther Choi, 741 Skynob Dr., addressed Council regarding safety in Ann Arbor. She expressed concern with the number of robberies that have taken place at her family's business on Broadway St. She asked Council for help solving these crimes and making this area of the City safer.*

**6. Aaron Champion - North Main Parking Egress**

*Aaron Champion was not present.*

**7. Helen Slomovits - Stop Smart Meters**

*Helen Slomovits, 2000 Penncraft Ct., addressed Council regarding smart meters in Ann Arbor. She said that the benefits of smart meters are being misrepresented by the utility companies and she urged Council to impose a moratorium on any further installation of smart meters in the City until the concerns have been thoroughly investigated.*

**8. Jeffrey Mangray - Corruption in the City**

*Jeffrey Mangray was not present.*

**COMMUNICATIONS FROM COUNCIL****COUNCILMEMBER DEREZINSKI**

*Councilmember Derezinski reported that the R4CR2A study report was reviewed by the Planning Commission and referred to its Ordinance Review Committee for a recommendation to Council.*

*A hearing is scheduled on the initial report on May 23, 2012 regarding the work on the State Street corridor study group. For more information, contact Planning and Development Services.*

**COUNCILMEMBER LUMM**

*Councilmember Lumm addressed the public comments regarding smart meter installation. She said this issue will appear on the Energy Commission agenda. The Energy Commission meets on the 4th Thursday of every month at 7 p.m. in the Council Chamber.*

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

*City Administrator Steve Powers reported on the following:*

**NO TRASH/RECYCLING OR COMPOST ON MAY 28, 2012 - MEMORIAL DAY**

*Administrator Powers announced that there would be no trash pick-up, recycling, or compost pick-up on Monday, May 28, 2012. The regular Monday routes will be picked up on Tuesday and the remainder of the schedule will be one day later for the rest of the week.*

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

*Councilmember Derezinski arrived at 7:48 p.m.*

**Present:** 11 - Mayor John Hieftje, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor, Councilmember Carsten Hohnke and Councilmember Jane Lumm

**PH-1 [12-0356](#)**

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from O (Office District) to P (Parking District), AAA Ann Arbor Branch Office Property, 1200 South Main Street (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-12-12)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.35 Acre from O (Office District) to P (Parking District), AAA Ann Arbor Branch Office Property, located at 1200 South Main Street. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-12

**PH-2**    [12-0370](#)

Resolution to Approve AAA Ann Arbor Branch Office Site Plan, 1200 South Main Street - CPC Recommendation: Approval (6 Yeas and 3 Nays)

*A public hearing was conducted on the proposed Resolution to Approve AAA Ann Arbor Branch Office Site Plan, located at 1200 South Main Street. Notice of public hearing was published May 10, 2012.*

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

**Held and Closed**

Enactment No: R-12-226

**PH-3**    [12-0369](#)

Resolution to Approve the AAA Ann Arbor Branch Office Site Plan, 1100 South Main Street - CPC Recommendation: Approval (9 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to Approve the AAA Ann Arbor Branch Office Site Plan, located at 1100 South Main Street. Notice of public hearing was published May 10, 2012.*

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

**Held and Closed**

Enactment No: R-12-225

**PH-4**    [12-0595](#)

Resolution to Approve Allen Creek Preschool Site Plan, 2350 Miller Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

*A public hearing was conducted on the proposed Resolution to Approve Allen Creek Preschool Site Plan, located at 2350 Miller Avenue. Notice of public hearing was published May 10, 2012.*

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

**Held and Closed**

Enactment No: R-12-232

**PH-5**    [12-0358](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.82 Acre from TWP (Township District) to R1A (Single-Family District), Sander Property, 1575 Alexandra Boulevard (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-12-13)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.82 Acre from TWP (Township District) to R1A (Single-Family District), Sander Property, located at 1575 Alexandra Boulevard. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-13

**PH-6**    [12-0374](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Skelley Property, 545 Allison Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-18)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.35 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Skelley Property, located at 545 Allison Drive. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-18

**PH-7**    [12-0375](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Morris Property, 427 Barber Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-14)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Morris Property, located at 427 Barber Avenue. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-14

**PH-8**    [12-0376](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), French Property, 3225 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-15)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), French Property, located at 3225 Dexter Road. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-15

**PH-9**    [12-0377](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.4 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Zummer Property, 3249 Dexter Road (CPC Recommendation:

Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-16)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.4 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Zummer Property, located at 3249 Dexter Road. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-16

**PH-10** [12-0378](#)

An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Andres Property, 305 Pinewood Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-17)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.3 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Andres Property, located at 305 Pinewood Street. Notice of public hearing was published May 3, 2012.*

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

**Held and Closed**

Enactment No: ORD-12-17

## **COMMUNICATIONS FROM COUNCIL**

*None.*

## **A APPROVAL OF COUNCIL MINUTES**

**A-1** [12-0743](#) Regular Session of May 7, 2012

**A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, that the regular session meeting minutes of May 7, 2012 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

## **CA CONSENT AGENDA**

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

*CA-1 Resolution to Approve a Contract with Terra-Firma Landscape, Inc. to Make Improvements to South University Park (\$39,575.00)*

### **Passed on consent agenda**

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

- CA-2**    [12-0698](#)    Resolution to Accept and Approve a Grant from the Michigan Department of State for Qualified Voter File's Electronic Poll Book (EPB) Project Laptop and Accessories Purchase through Funding from the Help America Vote Act (\$32,850.24)
- Approved**
- Enactment No: R-12-223
- CA-1**    [12-0539](#)    Resolution to Approve a Contract with Terra-Firma Landscape, Inc. to Make Improvements to South University Park (\$39,575.00)
- A motion was made by Councilmember Lumm, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-239
- DC-2**    [12-0527](#)    Resolution to Approve Industrial Facilities Exemption Certificate between the City of Ann Arbor and Sakti3 Corporation
- A motion was made by Councilmember Higgins, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-224
- B        ORDINANCES - SECOND READING**
- B-1**    [12-0356](#)    An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from O (Office District) to P (Parking District), AAA Ann Arbor Branch Office Property, 1200 South Main Street (CPC Recommendation: Approval - 6 Yeas and 3 Nays) (Ordinance No. ORD-12-12)
- A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-12-12
- DB-1**    [12-0369](#)    Resolution to Approve the AAA Ann Arbor Branch Office Site Plan, 1100 South Main Street - CPC Recommendation: Approval (9 Yeas and 0 Nays)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-12-225
- DB-2**    [12-0370](#)    Resolution to Approve AAA Ann Arbor Branch Office Site Plan, 1200 South Main Street - CPC Recommendation: Approval (6 Yeas and 3 Nays)
- 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-12-226

- B-2**     [12-0358](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.82 Acre from TWP (Township District) to R1A (Single-Family District), Sander Property, 1575 Alexandra Boulevard (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-12-13)

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

Enactment No: ORD-12-13

- B-3**     [12-0374](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.35 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Skelley Property, 545 Allison Drive (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-18)

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

Enactment No: ORD-12-18

- B-4**     [12-0375](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Morris Property, 427 Barber Avenue (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-14)

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

Enactment No: ORD-12-14

- B-5**     [12-0376](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.2 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), French Property, 3225 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-15)

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

Enactment No: ORD-12-15

- B-6**     [12-0377](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.4 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Zummer Property, 3249 Dexter Road (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-16)

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

Enactment No: ORD-12-16

- B-7**     [12-0378](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 0.3 Acre from TWP (Township District) to R1C (Single-Family Dwelling District), Andres Property, 305 Pinewood Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-12-17)

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

Enactment No: ORD-12-17

**C            ORDINANCES - FIRST READING**

- C-1**     [12-0454](#)     An Ordinance to Amend Sections 4:58 and 4:59 of Chapter 49 (Sidewalks) of Title IV (Streets and Sidewalks) of the Code of the City Relative to Responsibility for the Repair of Adjacent Sidewalk (Ordinance No. ORD-12-20)

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

Enactment No: ORD-12-20

- C-2**     [12-0597](#)     An Ordinance to Amend Chapter 55 (Zoning), Rezoning of 1.44 Acres from PUD (Planned Unit Development District) to Revised PUD (Planned Unit Development District), Shell Service Station/Convenience Store Revised PUD Zoning and Supplemental Regulations, 2679 Ann Arbor-Saline Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-12-21)

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

Enactment No: ORD-12-21

- C-3**     [12-0605](#)     An Ordinance to Amend Sections 2:63, 2:64, and 2:69 of Chapter 29 (Water, Sewer and Stormwater Rates) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-12-22)

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

Enactment No: ORD-12-22

**D            MOTIONS AND RESOLUTIONS**

- DC        Old Business - Council:**

DC-1 [12-0576](#) Resolution to Re-Appoint Members to the Greenbelt Advisory Commission

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

Enactment No: R-12-227

DC **New Business - Council:**

DC-3 [12-0741](#) Resolution to Add Members to the North Main/Huron River Corridor Study Task Force

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

Enactment No: R-12-228

[12-0741](#) Resolution to Add Members to the North Main/Huron River Corridor Study Task Force

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

**RESOLVED, THAT [T]his resolution amends the North Main Task Force Resolution (Resolution No. R-12-188) to add three new positions: a member of Council, the boating/fishing community of river users [and] a representative from the Huron River Citizens Association AND A REPRESENTATIVE FROM THE PUBLIC ART COMMISSION.**

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

**Yeas:** 6 - Mayor Hieftje, Councilmember Teall, Councilmember Anglin, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 5 - Councilmember Kunselman, Councilmember Higgins, Councilmember Briere, Councilmember Smith and Councilmember Lumm

Enactment No: R-12-228

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

Enactment No: R-12-228

DC-4 [12-0295](#) Resolution to Approve a Request to Transfer Ownership of a 2010 Resort Class C Liquor Licensed Business Located at 445 E. Eisenhower Parkway, Suite 1, from Max & Erma's Restaurants, Inc. to American Blue Ribbon Holdings, LLC, D/B/A Max & Erma's

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

Enactment No: R-12-229

- DC-5**    [12-0708](#)    Resolution to Approve a Request to Transfer Ownership and Location of an Escrowed 2011 Class C Liquor Licensed business from Pizza Hut of America, Inc. to Bill's Beer Garden, L.L.C., a Request for a Dance-Entertainment Permit, an Outdoor Service Area and a New SDM license, Located at 218 S. Ashley - d/b/a Bill's Beer Garden
- A motion was made by Councilmember Lumm, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-230

- DC-6**    [12-0709](#)    Resolution to Approve a Request to Transfer Ownership of a 2011 Class C Liquor Licensed Business with a Dance-Entertainment Permit from Ann Arbor 1999 L.L.C. to Last Word Ann Arbor L.L.C., located at 102 S. First - d/b/a Live and the Last Word
- A motion was made by Councilmember Anglin, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-231

**DC    New Business - Council:**

**DB    New Business - Boards and Commissions:**

- DB-3**    [12-0595](#)    Resolution to Approve Allen Creek Preschool Site Plan, 2350 Miller Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays)
- A motion was made by Councilmember Briere, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-232

**DS    New Business - Staff:**

- DS-1**    [12-0593](#)    Resolution to Enter into Contract with Washtenaw County to Accept and Appropriate Funds from HUD Sustainable Community Challenge Cooperative Agreement (CCPMI0057-11) \$256,000.00 **(8 Votes Required)**
- A motion was made by Councilmember Smith, seconded by Councilmember Lumm, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**

Enactment No: R-12-233

- DS-2**    [12-0577](#)    Resolution to Approve the Safe Routes to School Application for Clague School

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

Enactment No: R-12-234

- DS-3**    [12-0639](#)    Resolution to Approve a Lease with Huron River Holdings, Inc. for Use of a Parking Lot at 416 Longshore Drive (\$2,500.00) **(8 Votes Required)**

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

Enactment No: R-12-235

### RECESS

*Mayor Hieftje declared a recess at 8:28 p.m. and reconvened the meeting at 8:40 p.m.*

- DS-4**    [12-0489](#)    Resolution to Approve Fiscal Year 2013 Fee Adjustments for Public Services Area Project Management, Field Operations, Fleet and Facilities, Customer Service, and Systems Planning

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

Enactment No: R-12-236

- DS-5**    [12-0697](#)    Resolution to Adopt Funding Policies for the City's Pension and Voluntary Employee Beneficiary Association (VEBA) plans

**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.**

Enactment No: R-12-237

- DS-6**    [12-0567](#)    Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2013

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

Enactment No: R-12-238

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

**Amendment 1 –  
Increase the General Fund Expenditure Budget for District Court personnel.**

**Whereas, The FY2013 plan approved last year for the Fifteenth District Court included three Senior Secretary-Courts positions; and**

Whereas, The FY2013 recommended budget was reduced by one Senior Secretary-Court position, corresponding to the vacant judge positions that wasn't sure to be filled; and

Whereas, The third judge position was recently filled and the judge will require a Senior Secretary-Courts position;

**RESOLVED**, The City increase the General Fund Fifteenth District Court FTEs by one, and funding for the position totaling \$76,193.00 be added to the adopted budget, funded by a reduction in the FY2013 planned General Fund surplus.

Sponsored by: Taylor

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

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

**Nays:** 1 - Councilmember Lumm

Enactment No: R-12-238

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

**Amendment 2 –**  
Increase the General Fund Expenditure Budget for Fire personnel.

Whereas, The FY2012 adopted budget reduced the budgeted number of Fire Services FTEs (six fighter fighters and one management assistant) from 89 to 82; and

Whereas, The FY2013 plan approved with the FY2012 budget further reduced the budgeted number of Fire Services FTEs from 82 to 77; and

Whereas, the FY2013 recommended budget reinstated the number of FTEs to the FY2012 level of 82; and

Whereas, The City is pursuing additional Fire Protection funding from the State as well as grants for funding Firefighters and anticipates some of this revenue will come to fruition during FY2013; and

Whereas, The City Council wishes to restore the budgeted sworn Fire Services personnel FTEs to 88 when recurring funding is available;

**RESOLVED**, That Council directs the City Administrator to monitor the receipt of additional funding from grants and from the State's Fire Protection funds; and

**RESOLVED**, That if additional funding is received during FY2013 that the City Administrator immediately present Council with a mid-year budget amendment appropriating the funds to hire additional firefighters up to 88FTEs.

**Sponsored by: Council members Teall, Taylor, Hieftje and Lumm**

Enactment No: R-12-238

**A motion was made by Councilmember Lumm, seconded by Councilmember Kunselman, that Amendment 2 be amended as follows:**

**Add a RESOLVED Clause:**

**...RESOLVED, That if the revenues from the SAFER grant and increases in State Fire protection grant do not total at least \$477,594.00, that City Council directs the Administrator to prioritize the funding of any shortfall in the development of the FY14 budget and FY15 plan.**

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

**Yeas:** 1 - Councilmember Lumm

**Nays:** 10 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Enactment No: R-12-238

**The question being Amendment 2 as originally presented, on a voice vote, the Mayor declared the motion carried.**

Enactment No: R-12-238

**A motion was made by Councilmember Kunselman, seconded by Councilmember Lumm, that the Resolution be Amended as follows:**

**Amendment 3 – DDA**

**Whereas, In 2011 the Downtown Development Authority (DDA) interpreted Chapter 7 of the City of Ann Arbor Code of Ordinances to include both real and personal property, the “optimistic” capture projection from the 2003 DDA Tax Increment Financing (TIF) Plan, and a year by year annual growth comparison which resulted in a refund to authorities in the amount of \$1,185,132.00;**

**Whereas, If the same method of interpretation were utilized in 2012 and 2013, there would be refunds in the estimated amounts of \$0.00 and \$40,878.00, respectively;**

**Whereas, City Council desires to provide guidance to the DDA on how to interpret the ordinance and deems the appropriate interpretation of Chapter 7 to be to:**

- use both real and personal property,
- use the “realistic” capture projection from the 2003 DDA Tax Increment Financing (TIF) Plan,
- use a cumulative comparison of projected capture to actual capture, and
- consider only debt service payments for TIF related projects (ie exclude all debt service for the construction, maintenance, and management of the City’s parking system)

**in the interpretation of Chapter 7;**

Whereas, If the Council recommended method of interpretation were utilized in 2012 and 2013, refunds in the amounts of \$608,478.00 and \$659,771.00, respectively, would be necessary;

Whereas, Of the 2013 amount of \$659,771.00, \$399,146.00 would accrue to the City and of this amount, \$249,198.00 would accrue to the General Fund, \$49,838.00 of which would be passed through to the AATA, leaving a net of \$199,360.00 in the General Fund; and

Whereas, Council desires to increase Fire staffing levels by at least 2 positions from 82 to 84.

**RESOLVED**, That City Council directs the DDA to interpret and apply Chapter 7 of City Code using:

- both real and personal property,
- the “realistic” capture projection from the 2003 DDA Tax Increment Financing (TIF) Plan,
- a cumulative comparison of projected capture to actual capture; and
- consideration of only debt service payments for TIF related projects (ie exclude all debt service for the construction, maintenance, and management of the City’s parking system).

**RESOLVED**, That City Council directs the City Treasurer to distribute future TIF revenue to the DDA only up to the amount that would be realized in the plan plus any increases that are permissible in Chapter 7;

**RESOLVED**, That City Council directs the City Treasurer to distribute the excess amounts of future TIF revenue to the taxing authorities from which they were captured; and

**RESOLVED**, That the increased revenue to the General Fund in the amount of \$199,360 be utilized to increase the Fire Department expenditure authorization in FY2013 and to increase the authorized number of Fire FTEs by 2 positions.

Sponsored by: Kunselman

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

**Yeas:** 3 - Councilmember Kunselman, Councilmember Anglin and Councilmember Lumm

**Nays:** 8 - Mayor Hieftje, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Enactment No: R-12-238

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

**Amendment 4 –  
Decrease the General Fund Mayor & Council Expenditure Budget for Conference, Training and Travel.**

Whereas, In past years Council members have rarely utilized the budget appropriated for Conference, Training and Travel; and



Whereas, The City Administrator's recommended General Fund Mayor & Council budget includes \$6,500.00 for Conference, Training and Travel;

**RESOLVED**, The General Fund Mayor & Council expenditure budget for Conference, Training and Travel be reduced by \$6,500.00 to \$0.00.

Sponsored by: Briere

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

**Yeas:** 2 - Councilmember Briere and Councilmember Lumm

**Nays:** 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Enactment No: R-12-238

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

**Amendment 5 –**

**Amendment to Increase FY13 Human Services Funding to FY12 Budget levels**

Whereas, The City of Ann Arbor, the Ann Arbor Area Community Foundation Board of Directors, the United Way of Washtenaw County Board of Directors, the Washtenaw County Board of Commissioners, and the Washtenaw Urban County Executive Committee approved a Coordinated Funding process in the fall of 2010 for FY 2012 and FY 2013 human services funding;

Whereas, The City of Ann Arbor, the United Way of Washtenaw County, Washtenaw County, and the Washtenaw Urban County released a joint Request for Qualifications in December 2010 to determine applicants' financial and organizational capacity;

Whereas, The City of Ann Arbor, the United Way of Washtenaw County, Washtenaw County, and the Washtenaw Urban County released a joint Request for Proposals in January 2011 to eligible agencies for human services program operations applications;

Whereas, A Coordinated Funding Review Committee has reviewed all eligible applications and in April 2011 recommended the allocation of \$1,244,629.00 in City General Funds, \$1,677,000.00 in United Way Funds, \$1,015,000.00 in Washtenaw County General Funds, and \$348,460.00 in Washtenaw Urban County CDBG & Washtenaw County General Funds to local nonprofit human services agencies as a part of this RFP process for FY12;

Whereas, The City of Ann Arbor, the Ann Arbor Area Community Foundation Board of Directors, the United Way of Washtenaw County Board of Directors, the Washtenaw County Board of Commissioners, and the Washtenaw Urban County Executive Committee approved the recommended human services funding allocations to 40 agencies for the delivery of 65 programs between April and June 2011;

Whereas, The City of Ann Arbor, the Ann Arbor Area Community Foundation Board of Directors, the United Way of Washtenaw County Board of Directors, the Washtenaw County Board of Commissioners, and the Washtenaw Urban County Executive Committee retain the authority to approve their own allocations;

Whereas, The City of Ann Arbor, the Ann Arbor Area Community Foundation Board of Directors, the United Way of Washtenaw County Board of Directors, the Washtenaw County Board of Commissioners, and the Washtenaw Urban County Executive Committee have committed to approving allocations in partnership with each other;

Whereas, The City of Ann Arbor approved general fund allocations to nonprofit entities for FY 12 in R-11-205, and increased the total dollar amount included in the human services budget for FY12 by \$85,600.00 in R-11-209 to a total of \$1,244,629.00;

Whereas, the proposed FY13 budget includes a \$46,899.00 decrease in funding available for human services nonprofit entities;

Whereas, the Ann Arbor Area Community Foundation Board of Directors, the United Way of Washtenaw County Board of Directors, the Washtenaw County Board of Commissioners, and the Washtenaw Urban County Executive Committee have committed to awarding human services allocations in FY 13 based upon the approved allocations in FY 12; and

Whereas, The City of Ann Arbor has awarded funding to human service nonprofits on a two-year cycle since FY08 and has ensured level-funding in year two of each cycle since then;

**RESOLVED**, the FY13 General Fund Community and Economic Development budget be increased by \$46,899.00 for human services funding through the General Fund fund balance.

**Sponsored by:** Council members Lumm and Smith

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

Enactment No: R-12-238

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

**Amendment 6 –  
Supplemental Funding for Housing Commission for the change in methodology of allocating Retiree Healthcare expenditures.**

Whereas, The City Administrator's recommended budget revises the city's method of allocating retiree healthcare costs in such a way that the cost of retiree healthcare is allocated to the organizations where the liability is created; and

Whereas, The Housing Commission's expenditure for retiree healthcare is increasing by \$78,000.00 in FY2013 as a result of this change in methodology; and

Whereas, The Housing Commission is seeking to find an offset for this cost in FY2014 but has not identified an offset for FY2013; and

Whereas, Without an offset in FY2013, the Housing Commission will be unable to hire critical staff for its operations;

**RESOLVED**, That General Fund Non-departmental expenditure budget be increased by \$78,000.00 for a one-time transfer of funds from the General Fund fund balance to the Housing Commission in order to allow the commission a year to find an offsetting efficiency in future budgets.

**Sponsored by:** Council members Teall and Smith

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

**Yeas:** 11 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor, Councilmember Hohnke and Councilmember Lumm

**Nays:** 0

Enactment No: R-12-238

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

**Amendment 7–  
Eliminate the Recycle Bank Program**

Whereas, Recycle Bank program has not produced the desired outcome of significantly increasing participation in recycling; and

Whereas, The cost of eliminating the Recycle Bank program is \$107,200.00, which includes \$90,000.00 in an equipment purchase settlement per the contract and \$17,200 for 60 days of contractual notice; and

Whereas, The Solid Waste Fund expenditure budget includes \$103,500.00 for the Recycle Bank contract;

**RESOLVED**, The Recycle Bank program be discontinued effective July 1, 2012 with no change to the Solid Waste Fund FY13 expenditure budget.

**Sponsored by:** Council members Briere, Higgins, Hohnke, Kunselman and Lumm

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

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Higgins, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Hohnke and Councilmember Lumm

**Nays:** 3 - Councilmember Teall, Councilmember Derezinski and Councilmember Taylor

Enactment No: R-12-238

**RECESS**

*Mayor Hieftje declared a recess at 11:00 p.m. and reconvened the meeting at 11:14 p.m.*

*(Councilmember Higgins left at this time.)*

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

**Absent:** 1 - Councilmember Marcia Higgins

**12-0567**

Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2013

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

**Amendment 8 – Amendment to Eliminate FY2013 Appropriations for Public Art from Water, Sanitary Sewer, Stormwater and Street Reconstruction Millage Funds.**

**Whereas, The capital projects portion of the City Administrator’s recommended budget includes, for capital projects funded from the water, sanitary sewer, stormwater and street reconstruction millage funds, the following budgeted transfer of funds from those funds into the water, sanitary sewer, storm water and street reconstruction millage portions of the Art in Public Places fund in accordance with City Code:**

- Water \$ 60,649.00
- Stormwater \$ 22,400.00
- Sewer \$101,750.00
- Street Millage \$122,500.00

**Whereas, Council desires these funds remain in their original funds and be utilized for other purposes within those original funds.**

**RESOLVED, That the expenditure budget within the capital projects portion of the budget be reduced by a total of \$307,299.00 in the amounts set forth below for each of the listed funds in order to eliminate the transfers from these funds into the water, sanitary sewer, storm water and street reconstruction millage portions of the Art in Public Places fund, notwithstanding City Code, and be reduced to eliminate expenditure of the total amount from the Art in Public Places fund:**

- Water \$ 60,649.00
- Stormwater \$ 22,400.00
- Sewer \$101,750.00
- Street Millage \$122,500.00
- Art in Public Places \$307,299.00

**Sponsored by: Council members Kunselman and Lumm**

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

**Yeas:** 2 - Councilmember Kunselman and Councilmember Lumm

**Nays:** 8 - Mayor Hieftje, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Absent:** 1 - Councilmember Higgins

Enactment No: R-12-238

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

**Amendment 9-**

**Restore Two (2) Fall Leaf Pickup and Holiday Tree Pickup Services**

**Whereas, The city provided both of these services to residents until 2011;**

**Whereas, Leaf pickup is a basic service that should be provided to residents and taxpayers, particularly given that taxpayers pay over \$11,000,000.00 annually in a solid waste millage;**

**Whereas, Holiday tree pickup may not be considered a core service, but it offers a significant convenience to residents that can be provided for negligible cost (\$25,000.00). Further, restoring holiday tree pickup would avoid the need for thousands of residents to drive to re-use facility resulting in an environmental benefit;**

**Whereas, The elimination of these services simply shifted costs to residents and resulted in much less efficient/higher net economic cost for both services (loss of economies of scale);**

**Whereas, City staff indicated that to restore leaf pickup would require the purchase of two (2) street sweepers/pushers at a one-time cost of \$383,000.00;**

**Whereas, There is sufficient fund balance in the Solid Waste fund to fund the equipment purchases (unrestricted net assets of \$8,466,028.00 at June 30, 2011, equivalent to 60% of annual expenditures) and this \$383,000.00 expenditure represents less than 5% of that balance;**

**Whereas, City staff indicated the recurring costs to restore both services would be \$300,484 annually (\$275,280.00 for two Fall leaf pickups and \$25,204.00 for Holiday Tree pickup);**

**Whereas, The small increase (equivalent to about 2% of Solid Waste's annual expenditures) can be funded by reductions in other Solid Waste Expenditures;**

**RESOLVED, That the Administrators proposed FY13 budget for Solid Waste Fund (0072) be amended to restore two (2) Fall leaf pickups and Holiday Tree pickup services for residents.**

**RESOLVED, That the one-time expenditure of \$383,000.00 to purchase two street sweeper/pushers is funded by a one-time use of fund balance**

**RESOLVED**, That the recurring expenditures of \$300,484.00 for the costs of restoring leaf and holiday pickup are funded by \$300,484.00 reductions in other Solid Waste recurring expenditures as follows:

- \$148,377.00 reduction in FY13 budget for tipping fees for waste residential collection to reflect the FY12 forecast (FY12 forecast \$408,920.00, FY13 budget \$557,297.00). The FY10 and FY11 actual tipping fees for residential waste collection were \$354,720.00 and \$367,834.00 respectively.
- \$30,000.00 reduction in materials and supplies for waste residential collection to reflect the FY12 budget and forecast (FY12 budget/forecast \$15,500, FY13 budget \$45,500.00)
- \$43,800.00 reduction in Compost/Yard Waste to eliminate the contingency
- \$43,100.00 reduction in leaf pickup budget to reflect 15% reduction in the \$287,425.00 identified by staff as “budgeted for leaf collection of bagged leaves for the 8 weeks”
- \$35,207.00 reduction in other solid waste expenditures to be identified by the Administrator

**RESOLVED**, That the Administrator may present to Council other recurring expenditure reductions to substitute for those identified above.

**Sponsored by:** Lumm

Council took a 2-minute recess during the discussion of this amendment (11:55 p.m. - 11:57 p.m.)

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

**Yeas:** 3 - Councilmember Anglin, Councilmember Derezinski and Councilmember Lumm

**Nays:** 7 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Taylor and Councilmember Hohnke

**Absent:** 1 - Councilmember Higgins

Enactment No: R-12-238

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

**Amendment 10-  
Add Police Officers to Administrator's Proposed FY13 Budget**

**Whereas, Public safety services (police and fire protection) are core, essential city services and priorities valued highly by residents and taxpayers (individuals and businesses);**

**Whereas, Over the last decade, staffing levels in the police department have been reduced significantly, from 244 FTEs in the FY01 budget to 164 FTE's in the FY12 budget;**

**Whereas, The FY12 budget of 164 FTEs includes 118 sworn police officers and the Chief indicated his “magic number” to significantly improve police protection in the community was 150 sworn officers, an increase of 32 over the**

FY12 budget;

Whereas, It is not financially feasible to add 32 police officers in one year, but it is reasonable to target achieving that level over a three to five year period with an increase in FY13 of 5-10 officers;

Whereas, The Administrator's proposed budget adds 1 FTE to the Police Department and while that allows elected officials to say they've increased Police, an increase of 1 FTE represents an increase of less than one percent and at that rate, it would take 30 years to get to the level of staffing the chief indicated he thought was necessary;

Whereas, The proposed budget includes \$307,781.00 one-time funding to complete the High Speed Rail Grant match and the Administrator has indicated only \$33,365.00 is now required to complete the match, a savings of \$274,416.00;

Whereas, The City continues to apply for federal funds through the COPS Universal Hire grant program. Although the city has not been successful to date, if awarded, it is expected the COPS grant would fund up to 5 entry-level, full time positions for three years (\$1.4M);

Whereas, The cost for salaries and benefits for an entry level full time sworn officer is approximately \$90,000.00 annually; and

Whereas, The city develops cost savings targets for general fund activities and while the Police met their FY13 targets, some activities did not;

RESOLVED, That the Administrator's proposed budget be amended to add five additional police officer positions (an increase of six officers vs. FY12 resulting in a total of 151 departmental FTEs) – increasing the Police General Fund expenditure budget by \$450,000.00;

RESOLVED, That the FY13 funding for the five added police officer positions (\$450,000.00) are funded from the following recurring sources:

- \$331,778.00 - expenditure reductions in those activities not meeting their FY13 savings targets with department amounts/line item reductions to be determined by Administrator
- |                                |                                   |
|--------------------------------|-----------------------------------|
| Mayor and Council - \$8,957.00 | 15th District Court - \$94,617.00 |
| Public Services - \$192,265.00 | Human resources - \$35,939.00     |
- \$23,000.00 – expenditure reduction in training (non-departmental) reflecting increasing that budget by \$20,000.00 over FY12 instead of by \$43,000.00
  - \$17,500.00 – increase in AATA-related police revenue per May 1 CFO memo
  - \$77,722.00 – reduce High Speed Rail Grant Match from \$307,781.00 to \$33,365.00, a reduction of \$274,416.00 which provides a recurring source of this required \$77,722.00 for more than three years and allows sufficient time to establish a permanent funding source for the officers; and

RESOLVED, That if the COPS Universal Hire Grant is awarded to the City with terms generally consistent with those outlined above, the grant will be accepted and the Administrators proposed Police GF expenditure and FTE budgets would be further increased beyond what is reflected in this amendment by the number of FTEs and amounts included in the grant award.

**Sponsored by:** Lumm

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

**Yeas:** 2 - Councilmember Kunselman and Councilmember Lumm

**Nays:** 7 - Mayor Hieftje, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Absent:** 2 - Councilmember Higgins and Councilmember Anglin

Enactment No: R-12-238

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

**Amendment 11 -**

**Recognition of Parks Fairness Resolution with Budget Amendments**

**Whereas, On October 3, 2006, Council passed a resolution that, upon approval of the November 2006 Parks Millage ballot initiative, the General Fund portion of the overall budget supporting the City's Park System Budget would not be reduced more than the average of other General Fund operations of the City in the next 6 years of the millage;**

**Whereas, The budget amendments adopted by Council for the FY13 budget increase the General Fund expenditure budget by \$619,506.00;**

**Whereas, The Parks budget should be increased \$49,379.00 to ensure compliance with the 2006 resolution;**

**Whereas, The General Fund supports the Parks System budget with a transfer to the Golf Course fund annually;**

**Whereas, The Golf Course transfer has not previously been included in the calculation of support;**

**Whereas, The transfer budgeted for FY13 is \$272,220.00 in the General Fund Non-Departmental budget;**

**RESOLVED, That the transfer to the golf course be recognized as providing additional assistance to Parks satisfying the additional funding requirement.**

**Sponsored by:** Hohnke

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

**Yeas:** 9 - Mayor Hieftje, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor, Councilmember Hohnke and Councilmember Lumm

**Nays:** 1 - Councilmember Kunselman

**Absent:** 1 - Councilmember Higgins



Enactment No: R-12-238

[12-0567](#)

Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2013

**The question being the Resolution as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 8 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 2 - Councilmember Anglin and Councilmember Lumm

**Absent:** 1 - Councilmember Higgins

Enactment No: R-12-238

## E COMMUNICATIONS FROM THE MAYOR

### E-1 [12-0671](#) Appointment - Confirmation

*Mayor Hieftje recommended the following appointment at the May 7, 2012 regular session of Council:*

*Commission on Disability Issues*

*Monica Cox (Filling Vacancy)  
517 Cherry Street  
Ann Arbor, MI 48103  
Term: May 21st, 2012 - May 20th, 2015*

**A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that Council concur with the recommendations of the Mayor. On a voice vote, the Mayor declared the motion carried.**

### E-2 [12-0746](#) Appointments - Nominations

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

*Main Street -Huron River Corridor Task Force*

*Darren McKinnon - Water Hill representative  
David Santacroce - North Central Neighborhood representative  
Ray Detter - Old Fourth Ward representative  
Tamara Burns - Broadway/Pontiac Neighborhood representative  
Julie Grand - Parks Advisory Commission representative  
Erica Briggs - Planning Commission representative  
Paul Ganz - Business & Property Owners of the affected area representative  
Mike Martin - Business & Property Owners of the affected area representative  
Sandi Smith - Councilmember  
Rita Combest - Huron River/Newport neighborhoods representative  
Cynthia Ives - Boating/Fishing/Rifer users representative*

*Parks Advisory Commission*

*Alan Jackson (Replacing Sam Offen)  
1705 David Ct.  
Ann Arbor, MI 48105  
Term: June 4, 2012-June 3, 2015*

**Referred to the City Council due back on 6/4/2012.**

#### **COMMUNICATIONS FROM COUNCIL**

*None.*

#### **F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

F-1 [12-0664](#) First Quarter 2012 Investment Portfolio Report

**Received and Filed**

F-2 [12-0672](#) Approval of Capital Improvements Plan for FY13-18 by City Planning Commission

**Received and Filed**

#### **G COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

#### **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 Derezinski, 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 [12-0666](#) Communication from the State of Michigan Public Service Commission regarding a Public Hearing Notice for the Electric Customers of the Detroit Edison Company in Case No. U-1643-R, scheduled for May 24, 2012

H-2 [12-0724](#) Housing and Human Services Advisory Board (HHSAB) Recommendation to Increase the FY 13 Human Services Funding, to remain level with FY12 allocations

**I The following minutes were received for file:**

I-1 [12-0116](#) Zoning Board of Appeals Meeting Minutes of December 7, 2011

- I-2     [12-0246](#)     Zoning Board of Appeals Meeting Minutes of January 25, 2012
- I-3     [12-0401](#)     Park Advisory Commission Meeting Minutes of February 28, 2012
- I-4     [12-0419](#)     City Planning Commission Meeting Minutes of February 7, 2012
- I-5     [12-0420](#)     City Planning Commission Meeting Minutes of February 23, 2012
- I-6     [12-0445](#)     Zoning Board of Appeals Meeting Minutes of February 22, 2012
- I-7     [12-0606](#)     Recreation Advisory Commission Meeting Minutes of February 7, 2012
- I-8     [12-0661](#)     Ann Arbor-Ypsilanti Smart Zone - LDFA Board Meeting Minutes, March 13, 2012
- I-9     [12-0668](#)     Downtown Area Citizens Advisory Council Meeting Minutes - May 1, 2012
- I-10    [12-0669](#)     Ann Arbor Downtown Development Authority Minutes - April 4, 2012

**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)**

*None.*

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).**

*None.*

**ADJOURNMENT**

**A motion was made by Councilmember Smith, seconded by Councilmember Lumm, that the Meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:33 a.m.**

[12-0799](#)     City Council Emails - May 21, 2012

**COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:**

**LIVE: MONDAY, MAY 21, 2012, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 22, 2012, 10:00 A.M. AND FRIDAY, MAY 25, 2012, 7:30 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- Video on Demand: Replay public meetings at your convenience online at [www.a2gov.org/government/city\\_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx](http://www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx)
- Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 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.