

City of Ann Arbor

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



Action Minutes

Monday, May 18, 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 7:11p.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 Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor, and Councilmember Carsten Hohnke

Absent: 2 - Councilmember Stephen Rapundalo, and Councilmember Mike Anglin

APPROVAL OF AGENDA

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

Move: DS-14 Resolution to Approve Amendment No. 3 to the Option to Purchase Agreement with Village Green Residential Properties LLC (8 Votes Required) (Move to the beginning of DS Section)

Move: Council Communication (Consider after Public Commentary.)

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. Jim Williams - AFSCME Contract, Layoffs and the City Budget (DS-13)

Jim Williams, 6655 Jackson, AFSCME President of Local 369, addressed a letter that was sent to all of council regarding a couple of concerns the union has with the city and asked that the 289 City/AFSCME employees be treated fairly and equitably and that the contract language agreed to by the city and the local be honored.

2. Thomas Partridge - Illegal discrimination by the AATA and the Ann Arbor City Council must end. Action must be taken to ensure that the Ann Arbor Connector Study Barr's discrimination in public transportation. (DS-3)
Thomas Partridge, 4220 Eyrie Dr. in Scio Township, addressed council regarding ending illegal discrimination by the AATA and the Ann Arbor City Council and said that action must be taken to ensure that the Ann Arbor Connector Study bar's discrimination in public transportation.
3. John Woodford - Funding of Public Art - Budget (DS-13)
John Woodford, 1922 Lorraine, spoke in support of the City's commitment of funds for the Public Arts projects. He added that it's in hard times like these that a community really shows its values.
4. Meg Wallace - Leslie Science Center (DS-13)
Meg Wallace, 1721 Wells St., spoke in support of funding for the Leslie Science Center. The center is a very important part of her family's support structure in managing workplace and family.
5. John Frank - Ann Arbor City Apartments (DS-14)
John Frank, 30833 Northwestern, Hwy. in Farmington Hills, employee of Village Green, addressed council regarding Ann Arbor City Apartments' option agreement expiring at the end of the month. He asked that council grant an extension on the project.
6. Newcombe Clark - City Budget (DS-13)
Newcombe Clark, 113 W. Liberty St., addressed council regarding the City Budget. He spoke in support of the downtown beat patrol and asked that council reconsider the current proposal to end the downtown beat patrol.
7. Margaret Walsh - Leslie Science Center Funding
Margaret Walsh, 1039 Martin Place, spoke in support of Leslie Science Center Funding in the 2009 City Budget.
8. Bob Gelpke - Ann Arbor Airport Safety Concerns
Bob Gelpke, 2274 Twin, addressed council with concerns regarding the Ann Arbor Airport runway extension.
9. Karen Sidney - VEBA
Karen Sidney, 100 Longman Lane, addressed council regarding concerns with a request made by the city to reimburse a partial payment they made to the VEBA Trust.
10. John Floyd - Budget (DS-13)
John Floyd, 519 Sunset Road, addressed council regarding the amount of reduction in State revenue sharing for the city (\$250,000.00). The dept service on the building going up next door is also approximately \$250,000.00 per year. Cuts from the Police Department results from production in state aid. Mr. Floyd said that he would like to

hear more about why this building is the right decision to make at this time.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER GREDEN

Councilmember Greden, informed the public that there is no proposal before city council to do anything with the airport. There is an environmental study process under way. That process will take numerous months and is not scheduled for council action at his.

Mayor Hieftje confirmed with the city's CFO Tom Crawford that there was no city money involved in anything that's going on at the Airport.

Mr. Crawford said that the Airport is an enterprise fund and no general fund dollars go into it. The money used at the airport is money taken in from revenue.

COUNCILMEMBER BRIERE

Councilmember Briere commended everyone who came out on Saturday on city streets and in city parks to plant plants, beautifying our city.

COUNCILMEMBER DEREZINSKI

Councilmember Derezinski informed everyone that Councilmember Rapundalo could be in attendance tonight because he had to attend a bio-international conference in Atlanta, where MEDC is helping to put forth Michigan's posture at the conference in the hopes to bring more biotech businesses to Michigan.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 09-0331

An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit (Ordinance No. ORD-09-15)

A public hearing was conducted on the proposed amendment to Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit. Notice of public hearing was published May 17, 2009.

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

PH-2 09-0370

An Ordinance to Amend Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-16)

A public hearing was conducted on the proposed amendment to Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of the Code of the City of Ann Arbor. Notice of public hearing was published May 17, 2009.

Thomas Partridge asked if there was a strong statement of nondiscrimination and strong provisions requiring protection for people seeking to bid on city contracts to avoid discrimination of any form.

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

PH-3 09-0407 An Ordinance to Amend Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to Add the early retirement option Program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan) (Ordinance No. ORD-09-17)

Sponsors: Greden, Hieftje, Higgins, Rapundalo and Teall

A public hearing was conducted on the proposed amendment to Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to Add the early retirement option Program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan). Notice of public hearing was published May 17, 2009.

The following people spoke in opposition of the proposed ordinance to amend the Employees Retirement System:

*Karen Sidney, 100 Longman Lane
John Floyd, 519 Sunset Road*

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

PH-4 09-0409 An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code (Ordinance No. ORD-09-18)

Sponsors: Council Liquor License Review Committee

A public hearing was conducted on the proposed amendment to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code. Notice of public hearing was published May 17, 2009.

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

PH-5 09-0385 Resolution to Approve Parkwood Street Vacation, Located Between Kingwood Street and Valley Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was conducted on the proposed amendment to Resolution to Approve Parkwood Street Vacation, located Between Kingwood Street and Valley Drive. Notice of public hearing was published April 12, 2009.

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

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 09-0433 City Council Minutes of May 4, 2009

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

the motion carried.

CA CONSENT AGENDA

Passed on consent agenda

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

- CA-1 09-0020** Resolution Authorizing Sanitary Sewer Improvement Charge for 2999 Overridge Drive (\$17,877.00)
Enactment No: R-09-177
- CA-2 09-0383** Resolution to Award a Purchase Order for Water Main Materials and Supplies to ETNA Supply Company (ITB - 4014, \$77,754.62)
Enactment No: R-09-178
- CA-3 09-0384** Resolution to Award a Purchase Order for Water Main Materials and Supplies to East Jordan Iron Works (ITB - 4014, \$40,225.34)
Enactment No: R-09-179
- CA-4 09-0422** Resolution Ratifying the Issuance of an Emergency Purchase Order to the Detroit Edison Company for the Installation of Underground Electric Service by the City Administrator and Authorizing the City Administrator to take all Necessary Actions for the Installation of this Service (\$25,059.53)

Enactment No: R-09-180
- CA-5 09-0397** Resolution to Accept Board of Insurance Administration Meeting Minutes of April 24, 2009
Enactment No: R-09-181

B ORDINANCES - SECOND READING

- B-1 09-0331** An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents, and Interpretation) of Title I of the Code of the City of Ann Arbor for the Public Services Field Operations Solid Waste Unit (Ordinance No. ORD-09-15)

A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.
- B-2 09-0370** An Ordinance to Amend Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting, and Selling Procedure, of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-09-16)

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

DS-1 09-0421

Resolution Authorizing Summary Publication of Ordinance No. ORD-09-16 Amending Sections 1:312, 1:313 and 1:314 of Chapter 14, Purchasing, Contracting and Selling Procedure, of Title I of the Code of the City of Ann Arbor

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

Enactment No: R-09-182

B-3 09-0407

An Ordinance to Amend Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18 (Employees Retirement System) of Title I of the Code of the City of Ann Arbor (to Add the early retirement option Program for Ann Arbor Police Officers Association and the Command Officers Association of Michigan) (Ordinance No. ORD-09-17)

Sponsors: Greden, Hieftje, Higgins, Rapundalo and Teall

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

DS-2 09-0427

Resolution Authorizing Summary Publication of Ordinance No. ORD-09-17 Amending Sections 1:552, 1:561, 1:562, 1:563, and 1:564 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor

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

Enactment No: R-09-183

B-4 09-0409

An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code (Ordinance No. ORD-09-18)

Sponsors: Council Liquor License Review Committee

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

DS-15 09-0438

Resolution Authorizing Summary Publication of Ordinance No. ORD-09-18, An Ordinance to Repeal Chapter 109, Liquor, of Title IX of the Code of the City of Ann Arbor in its Entirety and Add a New Chapter 109, Liquor, Title IX of said Code.

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-09-184

C ORDINANCES - FIRST READING

- C-1 09-0439** An Ordinance to Amend Sections 2:61, 2:62, 2:63, 2:64 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates) of Title II of the Code of the City of Ann Arbor - Water, Sewer and Stormwater Rate Adjustments due to Capital Improvement Requirements

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

Enactment No: ORD-09-19

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 09-0423** Resolution to Appoint John W. Koupal as a Member of the City of Ann Arbor Environmental Commission

Sponsors: Hohnke and Teall

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.

Enactment No: R-09-185

Added After Newspaper Deadline:

- DC-2 09-0459** Resolution Requesting City Planning Commission and City Administrator to Evaluate Potential Amendments to the Zoning Ordinance Regarding Temporary Outdoor Sales in the C3 District

Sponsors: Hohnke, Derezinski, Higgins and Smith

A motion was made by Councilmember Smith, seconded by Councilmember Derezinski, that the resolution be approved.

Enactment No: R-09-186

With unanimous consent of Council, the resolution was amended as follows:

Add a RESOLVED Clause:

RESOLVED, That City Council requests that the Planning and Development Services Unit review all current temporary outdoor sales in the C3 zoning district, as well as all recurring annual temporary outdoor sales, and to contact such users and provide a reasonable time for such users to comply with the temporary outdoor sales requirements of the C3 zoning district;

Revise RESOLVED:

RESOLVED, That recommendations be provided to Council no later than [August 1, 2009] JULY 20, 2009.

Enactment No: R-09-186

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

Enactment No: R-09-186

DC-3 09-0460 Resolution to Approve Amendments to the Solid Waste Regulations That Were Filed with the City Clerk on May 4, 2009

Sponsors: Higgins

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-09-187

DC-4 09-0467 Resolution to Create a Taskforce and a Process to Examine Options for Services Provided at the Ann Arbor Senior Center

Sponsors: Greden, Teall, Briere, Taylor, Smith and Higgins

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

Enactment No: R-09-188

DB New Business - Boards and Commissions:

DB-1 09-0385 Resolution to Approve Parkwood Street Vacation, Located Between Kingwood Street and Valley Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Enactment No: R-09-189

DB-2 09-0326 Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Webster United Church of Christ Property in Webster Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$617,257.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**

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

Enactment No: R-09-190

RECESS

The Mayor declared a recess at 8:36 p.m. and reconvened the meeting at 8:48 p.m.

- DB-3 09-0327** ~~Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Penz Development Company n/k/a J.A. Bloch and Company Property in Superior Township, Approve the Purchase Agreement, and Appropriate Funds in the Amount of \$386,867.00 Contingent upon Award of Grant Funds **(8 Votes Required)**~~

(Deleted from agenda.)

- DB-4 09-0328** Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) for the Stephen, Frederick and Christopher Girbach Property in Lodi Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$992,119.00 Contingent Upon Award of Grant Funds **(8 Votes Required)**

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 unanimously with 9 members present, thus satisfying the eight-vote requirement.

Enactment No: R-09-191

- DB-5 09-0329** Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the Honke Family LLC Property in Northfield Township, Approve Purchase Agreement and Appropriate Funds in the Amount of \$958,747.00 Contingent upon Award of Grant Funds **(8 Votes Required)**

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with 9 members present, thus satisfying the eight-vote requirement.

Enactment No: R-09-192

- DB-6 09-0330** Resolution to Approve Grant Application to the Federal Farm and Ranch Land Protection Program (FRPP) for the Purchase of Development Rights (PDR) on the William C. and Cherie L. Nixon Property in Webster Township, Approve the Purchase Agreement and Appropriate Funds in the Amount of \$2,138,087.00 Contingent upon Award of Grant Funds **(8 Votes Required)**

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 unanimously with nine members voting, thus satisfying the eight-vote requirement.

Enactment No: R-09-193

D Old Business - Staff:

DS-14 09-0440 Resolution to Approve Amendment No. 3 to the Option to Purchase Agreement with Village Green Residential Properties LLC **(8 Votes Required)**

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

Enactment No: R-09-194

DS-3 09-0240 Resolution to Approve a Memorandum of Understanding with the City of Ann Arbor, Ann Arbor Transportation Authority, Ann Arbor Downtown Development Authority, and the University of Michigan to Conduct the Ann Arbor Connector Feasibility Study and Appropriate \$80,000.00 from the General Fund for the City Share of the Study (\$80,000.00) **(8 Votes Required)**

A motion was made by Councilmember Smith, seconded by Councilmember Greden, that the Resolution be postponed to the City Council and should be returned by 6/15/2009. On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement.

DS New Business - Staff:

DS-4 09-0309 Resolution to Award a Construction Contract to Saladino Construction Co. for Miscellaneous Concrete Repairs (Bid No. ITB 3978 - \$208,800.00)

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-09-195

DS-5 09-0359 Resolution to Approve Dumpster Refurbishing Program - ITB 4018 (\$129,720.00)

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

Enactment No: R-09-196

DS-6 09-0412 Resolution to Approve Contract with Schumaker & Company in the Amount of \$117,040.00 to Provide Operational Needs Assessment Consulting Services for the Ann Arbor Housing Commission, per Bid #731 and to Appropriate Funds from the General Fund Reserve **(8**

Votes Required)

A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, 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-09-197

DS-7 09-0414

Resolution Accepting Easement from the United States Geological Survey 1451 Green Road **(8 Votes Required)**

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

Enactment No: R-09-198

DS-8 09-0415

Resolution Accepting Easement from Sanitary Sewer from 201 DEPOT, LLC (201 Depot Street) **(8 Votes Required)**

A motion was made by Councilmember Briere, seconded by Councilmember Greden, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried unanimously with nine members present, thus satisfying the eight-vote requirement.

Enactment No: R-09-199

DS-9 09-0434

Resolution Approving a Grant of Easement to the Detroit Edison Company for Underground Electric Service Line (Located at the City of Ann Arbor Municipal Airport) **(8 Votes Required)**

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 unanimously with nine members present, thus satisfying the eight-vote requirement.

Enactment No: R-09-200

DS-10 09-0437

Resolution to Approve a Contract with Gabriel, Roeder, Smith & Company for Supplemental Benefit Calculations (NTE \$30,000.00)

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.

Enactment No: R-09-201

DS-11 09-0288

Resolution to Approve Fiscal Years 2010 and 2011 Fee Adjustments for the Community Services Area

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-09-202

DS-12 09-0302

Resolution to Approve Fiscal Year 2010 Fee Adjustments for Public Services Project Management, Customer Service, Systems Planning and Field Operations Units

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

Enactment No: R-09-203

DS-13 09-0375

Resolution to Adopt the Proposed Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2010

Enactment No: R-09-204

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

DECREASE THE GENERAL FUND COMMUNITY SERVICES AREA ADMINISTRATION BUDGET BY \$85,000.00 TO REMOVE THE FUNDING FOR THE CAPITAL AND OPERATING NEEDS ASSESSMENT FOR THE HOUSING COMMISSION.

WHEREAS, COUNCIL PROVIDED FUNDS FOR THE CAPITAL AND OPERATING NEEDS ASSESSMENT FOR THE HOUSING COMMISSION IN FY 2009;

RESOLVED, THE GENERAL FUND COMMUNITY SERVICES AREA ADMINISTRATION EXPENDITURE BUDGET BE DECREASED BY \$85,000 TO REMOVE THE FUNDING IN FY 2010.

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

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

DECREASE THE GENERAL FUND COMMUNITY SERVICES AREA ADMINISTRATION BUDGET BY \$85,000.00 TO REMOVE THE FUNDING FOR THE CAPITAL AND OPERATING NEEDS ASSESSMENT FOR THE HOUSING COMMISSION.

WHEREAS, COUNCIL PROVIDED FUNDS FOR THE CAPITAL AND OPERATING NEEDS ASSESSMENT FOR THE HOUSING COMMISSION IN FY 2009;

RESOLVED, THE GENERAL FUND COMMUNITY SERVICES AREA ADMINISTRATION EXPENDITURE BUDGET BE DECREASED BY \$85,000 TO REMOVE THE FUNDING IN FY 2010.

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

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

NCREASE THE GENERAL FUND PARKS AND RECREATION BUDGET BY \$4,350.00 TO PROVIDE ADDITIONAL FUNDING FOR THE LESLIE SCIENCE AND NATURE CENTER.

WHEREAS, THE PROPOSED FY 2010 GENERAL FUND PARKS AND

RECREATION BUDGET DOES NOT CONTAIN ANY ALLOCATION FOR LESLIE SCIENCE AND NATURE CENTER;

WHEREAS, A CRITICAL FUNDING SOURCE FOR THE LESLIE SCIENCE AND NATURE CENTER IS THE CITY'S FUNDS;

WHEREAS, THE CITY DESIRES THE TOTAL AMOUNT OF THE SUPPORT TO THE LESLIE SCIENCE AND NATURE CENTER FOR FY 2010 TO BE \$28,350.00;

RESOLVED, THAT THE GENERAL FUND PARKS AND RECREATION BUDGET BE INCREASED BY \$4,350.00 TO FUND LESLIE SCIENCE AND NATURE CENTER, WITH A REVENUE SOURCE OF GENERAL FUND PRIOR YEAR FUND BALANCE.

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

A motion was made by Councilmember Higgins that the Resolution be amended as follows:

DECREASE THE SMARTZONE LDFA BUDGET BY \$25,000 TO REMOVE THE FUNDING FOR THE ANGEL INVESTMENT GROUP SUPPORT.

WHEREAS, THERE IS NO OTHER INFORMATION FROM OTHER LOCAL DEVELOPMENT FINANCING AUTHORITIES PROVIDING THIS TYPE OF SUPPORT TO OTHER SMARTZONES;

WHEREAS, IT IS NOT IN THE BEST INTEREST TO UTILIZE PUBLIC ASSISTANCE IN SUPPORT OF PRIVATE INVESTORS;

RESOLVED, THE SMARTZONE LDFA EXPENDITURE BUDGET BE DECREASED BY \$25,000 TO REMOVE THE FUNDING FOR ANGEL INVESTMENT GROUP SUPPORT.

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

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

DECREASE THE SMARTZONE LDFA BUDGET BY \$50,000.00 TO REMOVE THE FUNDING FOR THE INDIRECT SERVICES-LDFA STAFF.

WHEREAS, THERE IS INCOMPLETE JUSTIFICATION PROVIDED BY THE LDFA FOR THE PROPOSED STAFFING NEEDS;

RESOLVED THE SMARTZONE LDFA EXPENDITURE BUDGET BE DECREASED BY \$50,000.00 TO REMOVE THE FUNDING FOR THE INDIRECT SERVICES-LDFA STAFF.

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

Councilmember Higgins moved, seconded by Councilmember Smith to amend the resolution as follows:

Condition Support for the SmartZone LDFA Budget Marketing Activities.

Whereas, The Ann Arbor-Ypsilanti Development Agreement specifies that all

direct expenditure of funds by the LDFA shall be limited to the geographic boundaries of the Ann Arbor portion of the LDFA;

Whereas, The marketing funds should be specifically dedicated to promoting the Business Accelerator;

Resolved, The SmartZone LDFA expenditure budget for Marketing be limited to funding activities within the geographic boundaries of the Ann Arbor portion of the LDFA, specifically promoting the Business Accelerator.

The motion was withdrawn.

Enactment No: R-09-204

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

DECREASE THE GENERAL FUND PARK OPERATIONS BUDGET FOR CONTRACTED SERVICES BY \$7,000.00 AND TRANSFER THE FUNDING TO THE GENERAL FUND PARKS AND RECREATION BUDGET TO SUPPORT THE PROJECT GROW.

WHEREAS, \$7,000.00 IN FUNDING FOR CONTRACTED SERVICES IS INCLUDED IN THE PROPOSED FY 2010 GENERAL FUND PARK OPERATIONS BUDGET;

WHEREAS, PROJECT GROW FUNDING WAS ELIMINATED IN FY 2010;

WHEREAS, A MAJOR FUNDING SOURCE FOR PROJECT GROW IS THE CITY'S FUNDS;

RESOLVED, THAT THE \$7,000.00 IN THE GENERAL FUND PARK OPERATIONS BUDGET IDENTIFIED FOR CONTRACTED SERVICES BE ELIMINATED AND BE REALLOCATED TO THE GENERAL FUND PARKS & RECREATION BUDGET FOR THE FISCAL YEAR 2010 TO SUPPORT PROJECT GROW.

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

Yeas: 5 - Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Smith, and Councilmember Taylor

Nays: 4 - Mayor Hieftje, Councilmember Greden, Councilmember Derezinski, and Councilmember Hohnke

Absent: 2 - Councilmember Rapundalo, and Councilmember Anglin

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

INCREASE THE ECONOMIC DEVELOPMENT FUND BUDGET BY \$25,000.00 TO PROVIDE FUNDING TO ANN ARBOR SPARK FOR ECONOMIC DEVELOPMENT ACTIVITIES.

WHEREAS, THE CITY COUNCIL AUTHORIZED THE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT FUND IN FY 2007 FOR THE PURPOSE OF FUNDING ECONOMIC DEVELOPMENT INCENTIVES WITHIN THE ANN ARBOR

COMMUNITY;

WHEREAS, THE CITY WOULD LIKE TO PROVIDE FUNDING TO ANN ARBOR SPARK TO ENHANCE LOCAL DEVELOPMENT EFFORTS, CREATE NEW ENTREPRENEURIAL BUSINESSES, EXPAND EXISTING BUSINESS GROWTH AND INCREASE JOB OPPORTUNITIES;

RESOLVED, THAT THE ECONOMIC DEVELOPMENT FUND BUDGET BE INCREASED BY \$25,000.00 FOR FISCAL YEAR 2010 TO PROVIDE ANN ARBOR SPARK WITH DISCRETIONARY FUNDING TO PROMOTE ECONOMIC DEVELOPMENT IN THE ANN ARBOR AREA, WITH A REVENUE SOURCE OF ECONOMIC DEVELOPMENT PRIOR YEAR FUND BALANCE.

On a voice vote, the Mayor declared the motion carried with seven members voting.

RECESS

The Mayor declared a recess at 10:10 p.m. and reconvened the meeting at 10:20 p.m.

09-0375

Resolution to Adopt the Proposed Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2010

The Mayor declared a recess at 10:35 p.m. and reconvened the meeting at 10:45 p.m.

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

DECREASE THE REVENUES AND EXPENSES FOR NEW PARKING METERS IN THE GENERAL FUND PUBLIC SERVICES BUDGET

WHEREAS, \$171,780.00 IN EXPENSES AND \$551,733.00 IN REVENUES ARE INCLUDED IN THE PROPOSED FY 2010 GENERAL FUND PUBLIC SERVICES BUDGET ASSOCIATED WITH THE INSTALLATION OF NEW PARKING METERS IN AREAS IN AND NEAR THE DOWNTOWN;

WHEREAS, THIS PROPOSAL FOR NEW PARKING METERS POSES POTENTIAL CHALLENGES FOR THE RESIDENTIAL NEIGHBORHOODS IN WHICH THESE NEW PARKING METERS ARE PROPOSED; AND

WHEREAS, ALTERNATIVES MAY EXIST TO GENERATE THE NET REVENUE THAT WOULD BE GENERATED BY THIS PROPOSAL;

RESOLVED, THAT THE FY 2010 BUDGET IS AMENDED TO REDUCE EXPENSES IN THE GENERAL FUND PUBLIC SERVICES BUDGET BY \$171,780.00 AND TO REDUCE REVENUES IN THE GENERAL FUND PUBLIC SERVICES BUDGET BY \$551,733.00, FOR A REDUCTION IN NET REVENUES TO THE GENERAL FUND PUBLIC SERVICES BUDGET BY \$379,973.00, ASSOCIATED WITH THE PROPOSAL TO INSTALL NEW PARKING METERS IN AND NEAR THE DOWNTOWN AREA;

RESOLVED, THAT THE CITY ADMINISTRATOR AND/OR HIS DESIGNEE SHALL WORK WITH THE CITY COUNCILMEMBERS FROM THE 1ST AND 5TH WARDS TO DEVELOP A PLAN ON OR BEFORE JULY 20, 2009, TO REPLACE THE

\$379,973.00 IN LOST NET REVENUES TO THE GENERAL FUND.

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

Yeas: 2 - Councilmember Briere, and Councilmember Smith

Nays: 7 - Mayor Hieftje, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Derezinski, Councilmember Taylor, and Councilmember Hohnke

Absent: 2 - Councilmember Rapundalo, and Councilmember Anglin

The question being the motion made by Councilmember Greden, seconded by Councilmember Derezinski as amended, on a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Hieftje, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor, and Councilmember Hohnke

Nays: 0

Absent: 2 - Councilmember Rapundalo, and Councilmember Anglin

Enactment No: R-09-204

E COMMUNICATIONS FROM THE MAYOR

E-1 09-0469 5/18/09 Appointments

COUNCILMEMBER SMITH

Councilmember Smith asked that staff be directed to work with councilmembers in the First and Fifth Wards to minimize the need for parking meters in residential neighborhoods and to find a revenue-neutral solution to the budget.

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

Zoning Board of Appeals

Kathy Loomis (Re-Appointment)
2542 Bellwood
Ann Arbor, MI 48104
Term: June 1, 2009 - June 1, 2012

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

F-1 Ann Arbor Connector Background Information

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

- H-1 09-0424** Communication from the Michigan Department of Environmental Quality, Land and Water Management Division, regarding a Public Notice dated April 30, 2009 in reference to the University of Michigan Drain Relocation, Application No. 09-81-0011-P
- H-2 09-0430** Communication from Pete Sutherland acknowledging the staff at the Recycle Ann Arbor Washtenaw County Regional Drop-off Station and mulch compost sales at the Transfer Station at Platt and Ellsworth - Public Services
- H-3 09-0431** Communication from Nesa & Associates, Inc. regarding notice to Local Unit of Government of Land Use Restriction at the former Shell Station located at 3240 Washtenaw - Systems Planning
- H-4 09-0432** Communications from Comcast regarding additions and changes to the channel line up effective May 27 and June 2, 2009 - CTN

I The following minutes were received for file:

- I-1 09-0374** Zoning Board of Appeals Minutes - October 22, 2008; November 19, 2008
- I-2 09-0381** Ann Arbor Downtown Development Authority Meeting Minutes - March 4, 2009
- I-3 09-0395** Ann Arbor Housing Commission Regular Board Meeting Minutes - March 18, 2009
- I-4 09-0396** Ann Arbor Housing Commission Special Board Meeting Minutes - April 7, 2009
- I-5 09-0404** Council Liquor License Review Committee - March 13 and April 17, 2009
- I-6 09-0428** SmartZone LDFA Board Minutes - March 17, 2009 and April 2, 2009
- I-7 09-0435** Cable Commission minutes of January 27, 2009

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

1. Mary Pratt

Mary Pratt, 409 N. Revena, addressed council regarding support of the Senior Center. Mrs. Pratt also gave some history of how the Senior Center was born.

2. Ed Sketch

Ed Sketch, 634 Brook St., thanked council on behalf of the Mack Pool Users group for giving them an extra year to find a way to move forward on the pool.

3. Sarah Rampton

Sarah Rampton, resident of Burns Park, addressed council regarding the dam. She said that the issue is maintaining the toe-heads. She gave an example on how to maintain them and said that Joe O'Neil will be coming to council to make a statement regarding this soon.

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

None.

ADJOURNMENT

A motion was made by Councilmember Greden, seconded by Councilmember Briere, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:28 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, MAY 18, 2009 7:00 PM

REPLAYS: TUESDAY, MAY 19, 2009 10:00 AM AND FRIDAY, MAY 22, 2009 7:30 PM

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.