

# City of Ann Arbor

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



## Action Minutes

Monday, May 23, 2011

7:00 PM

(Continued from May 16, 2011)

Ann Arbor Municipal Center, 301 E. Huron Street, 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**

*The continued May 16, 2011 regular session of the Ann Arbor City Council was reconvened at 7:06 p.m. in the Guy C. Larcom, Jr. Municipal Building, Council Chamber, on May 23, 2011, by Mayor John Hieftje.*

**ROLL CALL OF COUNCIL**

**Present:** 9 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Christopher Taylor and Councilmember Carsten Hohnke

**Absent:** 2 - Councilmember Mike Anglin and Councilmember Tony Derezinski

**A APPROVAL OF COUNCIL MINUTES**

**A-1 11-0658** Regular Session of May 16, 2011

**A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the first part of regular session minutes of May 16, 2011 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**ANNOUNCEMENT**

*Mayor Hieftje responded to questions that were raised at the May 16 meeting regarding the various fund groups, silos and "buckets" as it relates to the budget. The City Attorney was asked to research and update Council on the possibility of using the different fund balances from the various fund groups to balance the budget. Mayor Hieftje stated that research showed that it was impossible to break into those fund groups without consequences that would be negative legally and financially. Council received information regarding the research and it was sent on to members of the press as well. In some cases, using money from different funds can not be done without a vote of the people; in some cases it would be a charter violation and in other cases there would be penalties paid, costing a great deal of money possibly and in some cases it would be a violation of the law.*

*Mayor Hieftje also added that he and Councilmember Taylor have been working diligently to prepare a resolution to bring to Council that would reflect the negotiations with the DDA regarding the City's parking revenue, as discussed at the DDA meeting on May 20, 2011. The DDA did vote to pass along 17% of the parking revenues to the City. Mayor Hieftje said that the DDA had a concern about their fund balance dropping below \$1 million. The resolution regarding the parking revenues would include a back-stop by the City for the next few years for the DDA fund balance should it dip below \$1 million. Mayor Hieftje and Councilmember Taylor continue to work with the DDA Chair Joan Lowenstein and other members of the executive committee on this issue. Mayor Hieftje stated that the resolution is not ready for tonight's meeting, leaving the City with an approximately \$1.8 million gap to fill until the DDA parking issue is completely resolved. Mayor Hieftje said he is recommending that this meeting be continued again on May 31, 2011.*

**MEETING CONTINUED**

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the meeting be continued at 7:12 p.m. to 7:00 p.m. on May 31, 2011 to consider the following items. On a voice vote the Mayor declared the motion carried.

**D MOTIONS AND RESOLUTIONS****DS New Business - Staff:**

**DS-9 11-0425** Resolution to Approve Fiscal Year 2012 Fee Adjustments for Public Services Area Project Management, Customer Service, Systems Planning, Waste Water Treatment and Field Operations

**Continued to the City Council due back on 5/31/2011**

**DS-10 11-0435** Resolution to Approve FY 2012 Fee Adjustments for the Community Services Area

**Continued to the City Council due back on 5/31/2011**

**DS-11 11-0451** Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for fiscal year 2012 (7 Votes Required)

**Continued to the City Council due back on 5/31/2011**

**E COMMUNICATIONS FROM THE MAYOR**

**E-1 11-0624** 5/16/11 Appointments & nominations

**Continued to the City Council due back on 5/31/2011**

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

**F-1 11-0469** First Quarter 2011 Investment Portfolio Report

**Continued to the City Council due back on 5/31/2011**

**F-2 11-0520** Living Wage Increase

**Continued to the City Council due back on 5/31/2011**

**G COMMUNICATIONS FROM THE CITY ATTORNEY**

**H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS****H The following communications were referred as indicated:**

- H-1 11-0516** Communication from The Washtenaw County Board of Commissioners regarding public notice of available positions with the various Boards, Committees and Commissions  
**Continued to the City Council due back on 5/31/2011**
- H-2 11-0551** Communication from Huron River Watershed Council regarding the Single Fly Tournament  
**Continued to the City Council due back on 5/31/2011**
- H-3 11-0580** Communication from Karl R. Frankena, regarding notice of intent to establish a Condominium Project at 115 W. Liberty St. - Planning and Development Services  
**Continued to the City Council due back on 5/31/2011**
- H-4 11-0581** Communication from Comcast regarding changes to the channel lineup effective June 28, 2011 - CTN  
**Continued to the City Council due back on 5/31/2011**
- H-5 11-0582** Communication from David Root expressing concern about the alcohol service at Good Time Charlie's  
**Continued to the City Council due back on 5/31/2011**
- H-6 11-0587** Communication from the State of Michigan Public Service Commission regarding Notice of hearing for the Electric Customers of the Detroit Edison Company, regarding Case No. U-16047-R, to reconcile its power supply cost recovery costs and revenues for the calendar year 2010  
**Continued to the City Council due back on 5/31/2011**
- H-7 11-0601** Communication from Lawrence A. Roehrig, Secretary-Treasurer of AFSCME Michigan Council 25 regarding State Legislature regarding HB 4059  
**Continued to the City Council due back on 5/31/2011**
- H-8 11-0643** Communication from Housing and Human Services Board regarding Human Services Funding  
**Sponsors:** Rapundalo  
**Continued to the City Council due back on 5/31/2011**
- H-9 11-0646** Picometrix, LLC, application for Industrial Facilities Tax Exemption Certificate  
**Continued to the City Council due back on 5/31/2011**

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

- I-1     **11-0471**           Housing Board of Appeals Minutes - October 28, 2010  
  
                                  **Continued to the City Council due back on 5/31/2011**
- I-2     **11-0493**           Ann Arbor Housing Commission Board Meeting Minutes - March 16 and March 30,  
                                  2011  
  
                                  **Continued to the City Council due back on 5/31/2011**
- I-3     **11-0536**           Ann Arbor Public Art Commission Meeting Minutes - March 1, 2011  
  
                                  **Continued to the City Council due back on 5/31/2011**
- I-4     **11-0547**           Ann Arbor Commission on Disability Issues Meeting Minutes - March 16, 2011  
  
                                  **Continued to the City Council due back on 5/31/2011**
- I-5     **11-0549**           Human Rights Commission Meeting Minutes - January 12, 2011  
  
                                  **Continued to the City Council due back on 5/31/2011**

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

**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).**

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

**LIVE: MONDAY, MAY 23, 2011, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 24, 2011, 10:00 P.M. AND FRIDAY, MAY 27,  
2011 7:30 P.M.**

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

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