



City of Ann Arbor

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

Action Minutes City Council

Monday, June 2, 2008

7:00 PM

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

CALL TO ORDER

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:15 p.m. in the City Hall Council Chamber, 100 N. Fifth Ave, Ann Arbor, Michigan.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere

APPROVAL OF AGENDA

Add DC-3 Resolution to Extend Deadline for Ann Arbor Discovering Downtown (A2D2) Recommendations for Downtown Zoning, Downtown Design Standards, Design Guidelines, and Design Review Process, and Historic Design Guidelines

A motion was made by Councilmember Teall, seconded by Councilmember Higgins, that the Agenda be Approved with changes. On a voice vote, the Mayor declared the motion carried.

INT INTRODUCTIONS

INT-1 08-0532 Best Walking City Award

Dr. Crystal Holmes of the American Podiatric Medical Association presented the City with the Best Walking City Award. Cities across the country are evaluated for their walk-ability. The cities are ranked according to their safety, sidewalks and the availability for pedestrians to walk safely and exercise. This year, the American Podiatric Medical Association in conjunction with the Michigan Podiatric Medical Association and Prevention Magazine presented this award to the City of Ann Arbor. The Mayor accepted the award on the City's behalf.

INT-2 08-0575 Energy Challenge Award Presentation to A3C Architects

Robert Black, chair of the Ann Arbor Energy Commission, and Mayor Hieftje, presented the first annual Energy Challenge Award to A3C Architects. Dan Jacobs, senior partner of A3C Architects, showed a DVD about the changes that the firm has made to a commercial building in the downtown area. The DVD explains how they converted their building into a "green building". The building is available as a "learning lab" for others. A copy of the DVD is on file in the City Clerk's Office.

INT-3 08-0576 Solar America Cities Sign Presentation

Steve Paulmary, from the United States Department of Energy, thanked the City of Ann Arbor and the Mayor for the leadership they have shown in renewable energy programs and policies to help cities across the United States reach a renewable energy future. Mr. Paulmary presented a Solar America City Sign to the City. Mayor Hieftje accepted the sign on the City's behalf. Additional Solar America City Signs will be posted at all entrances leading into the City, declaring the City of Ann Arbor as a Solar City.

INT-4 08-0585 Summers-Knoll Elementary School - Presentation of Ball made from Plastic Bag Waste

Students from the Summers-Knoll Elementary School presented a ball made from plastic bag waste to the City of Ann Arbor. Plastic bags kill many sea animals and birds and fill up landfills. The Students asked that the City consider banding plastic bags.

INT-5 08-0586

Golden Paintbrush Awards

Margaret Parker presented the Golden Paintbrush Awards and the Commission on Art in Public Places (CAPP) Annual Report to Council (A copy of the report is on file in the City Clerk's Office.). CAPP presents Golden Paintbrush Awards annually to citizens, business and organizations that have encouraged art in public places in Ann Arbor. Nominations for the awards are accepted year-round and may be sent to CAPP c/o Parks and Recreation Department at City Hall. The recipients of the 2008 Golden Paintbrush Awards are as follows:

Genia Service -CAPP Website Committee

Glenn Thomas -CAPP Website Committee

Annie Wolock -CAPP Website Committee

U-M Center for Afro-American & African Studies -Umbororo Crossing

U-M School of Art & Design -Umbororo Crossing

Y. David Chung -TEN

Elshafei Dafalla Mohamed -Umbororo Crossing

Denali Development Group -TEN

Erica Fink -The Story of a Million Flowers

Karim Motawi -Tile Quilts

Nawal Motawi -Tile Quilts

McKinley -Re-Siting of David Lee Brown Sculpture

Anne Parker, U-M Hospital Interior Design -Tile Quilts

Josie Parker, Ann Arbor District Library -Re-Siting of David Lee Brown Sculpture

U-M Rackham School of Graduate Studies -Umbororo Crossing

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. Thomas Partridge - Unite Ann Arbor and Washtenaw County. Build a combined City/County Government and Court Center. Create a unified public transportation, affordable housing, health care, educational service system.**

Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding uniting Ann Arbor and Washtenaw County. He asked that the City build a combined City/County Government and Court Center and create a unified public transportation, affordable housing, health care, and educational service system.
- 2. Jennifer Hall - Fifth and Division Improvement Plan (DS-1)**

Jennifer Hall, 1402 Culver Rd., addressed Council regarding the Fifth and Division Improvement Plan and urged Council to support the proposed plan.
- 3. Jon Swanson - Proposed Police/Court Building (DS-2)**

Jon Swanson, 1811 Coronado, expressed concern regarding the proposed Police/Court Building Bonds and asked that the decision be put before the voters.
- 4. Nancy Kaplan - Police/Court Bond Issue (DS-2)**

Nancy Kaplan, 3065 Hunting Valley Dr., asked that the Police/Court Building issuance of bonds be placed on the November ballot.
- 5. Robert Snyder - University Village Development Proposal**

Robert Snyder, 525 Elm St., expressed concern with the University Village Development project.
- 6. Virginia Simon - Police/Court Bond Issue (DC-2)**

Virginia Simon, 830 W. Washington, spoke in support of the proposed Police/Court Bond resolution to put the question on the ballot and let voters decide.
- 7. Joan Brown - Low-income Housing**

Joan Brown, 106 Packard, Apt. 202, addressed Council regarding low-income housing. She expressed concern with her apartment complex Baker Commons and how residents are being treated there. She asked that Council help with resolving issues before the matter becomes urgent.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 08-0258

An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor - Noise Control Regarding Animals (Ordinance No. ORD-08-17)

Sponsors: Anglin, Kunselman and Teall

Public hearings were conducted on the proposed amendments to Chapter 119 (Noise Control), Section 9:363 of Title IX of the Code of the City of Ann Arbor, Chapter 106 (Nuisances), Section 9:15 of title IX of the Code of the City of Ann Arbor, and Chapter 107 (Animals), Section 9:38, 9:45 and 9:52 and add a new Section 9:42 of Title IX of the Code of the City of Ann Arbor regarding backyard chickens. Notice of public hearing was published June 1, 2008.

The following people spoke in support of the proposed Chicken Ordinances:

Bryan Collins, 2260 Miller

Mike Valentine, 2260 Miller

Steve Thorp

Billie Joe Evans, 810 Oxford Rd.

Alan Haber, resident of Ann Arbor

Mike Merrick, Ann Arbor resident

Jennifer Santi Hall, 1402 Culver Road, spoke in support of the ordinance, but opposed to the section requiring neighbor's approval.

Eric Campy, Ann Arbor resident

Tim, member of the audience

Jim Osborne, Ann Arbor resident

Tammy Corwin-Renner, 320 Westwood

Lou Glorie, 827 Brooks

Clair Tinkerhess, 621 Miner

Steve Bean, 1002 Hutchins, spoke in support, but opposed the requirement of neighbor approval.

Tim Colenbeck, 1730 David

Lou Anne Bullington, 3rd Ward Resident

Tom Partridge, Scio Township resident, expressed concerns about discrimination.

The following people spoke in opposition of the proposed Chicken Ordinances:

Susan Blake, 1213 Morningside Dr., expressed concerns about enforcement.

Isabella, 2274 Sunvalley Drive

Danielle, member of the audience

Stephanie Sethi, 3170 Foxway Drive

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

Enactment No: ORD-08-17

PH-2 08-0262

An Ordinance to Add a New Section 9:15 to Chapter 106 (Nuisances) of Title IX of the Code of the City of Ann Arbor - Nuisances Regarding Animals (Ordinance No. ORD-08-18)

Sponsors: Anglin, Kunselman and Teall

See comments on first public hearing.

Enactment No: ORD-08-18

- PH-3 08-0263** An Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor - Backyard Chickens (Ordinance No. ORD-08-19)

Sponsors: Anglin, Kunselman and Teall

See comments on first public hearing.

Enactment No: ORD-08-19

- PH-4 08-0489** An Ordinance to Amend Sections 2:61, 2:62, 2:63, 2:64, 2:65 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 Increased Costs of Operation and Maintenance (Ordinance No. ORD-08-20)

A public hearing was conducted on the proposed amendments to Chapter 29 - Increase Water, Sewer and Stormwater Rates, Sections 2:61, 2:62, 2:63, 2:64, 2:65 and 2:69 of Title II of the Code of the City of Ann Arbor, adjusting rates due to increased costs of operation and maintenance. Notice of public hearing was published June 1, 2008.

The following people spoke in opposition of the proposed increase in water, sewer and stormwater rates:

Karen Sidney, 100 Longman Lane, state increases have outpaced inflation.

Jim Mogensen, 2985 Green Brier, urged Council to consider a Growth Management Plan.

Glen Thompson, 100 Longman Lane

Thomas Partridge, Scio Township resident

LuAnn Bullington, 1801 South Street, expressed concerns about excessive fees.

Lou Glorie, 827 Brooks Street

Enactment No: ORD-08-20

COMMUNICATIONS FROM COUNCIL

- 08-0572** Resolution to Re-Appoint Member to the City Environmental Commission

Sponsors: Teall

Councilmember Teall announced that she will be bringing forward a resolution to reappoint members of the Environmental Commission at the next regular session of Council.

- 08-0573** Resolution to Re-Appoint Members to the Greenbelt Advisory Commission

Sponsors: Easthope

Councilmember Easthope announced that he would be bringing forward a resolution to reappoint members of the Greenbelt Advisory Commission at the next regular session of Council.

A APPROVAL OF COUNCIL MINUTES

A-1 08-0535 Working Session of May 12, 2008 and Regular Session of May 19, 2008

A motion was made by Councilmember Easthope, seconded by Councilmember Teall, that the Working Session minutes of May 12, 2008 and the Regular Session minutes of May 19, 2008 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

Passed on consent agenda

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

CA-1 08-0462 Resolution to Approve Amendment No. 1 of the Lease Agreement with The Regents of the University of Michigan for the Community Dental Center for \$1.00 Per Year
Enactment No: R-08-227

CA-2 08-0477 Resolution to Fund Collaboration with Washtenaw County Drain Commissioner (\$35,000.00/year)
Enactment No: R-08-228

CA-3 08-0521 Resolution to Approve a Contract with Governmental Consultant Services Inc. for Lobbying Services (\$48,000.00)
A motion was made by Councilmember Higgins, seconded by Councilmember Easthope, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-229

CA-4 08-0541 Resolution to Place Delinquent Water Utilities Charges to the 2008 Tax Roll (\$104,402.64)
Council requested that staff provide them with a list of affected property owners associated with this resolution.
A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-230

RECESS

The Mayor declared a recess at 9:16 p.m. and reconvened the meeting at 9:38 p.m.

B ORDINANCE - SECOND READING

- B-1 08-0258** An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor - Noise Control Regarding Animals (Ordinance No. ORD-08-17)
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-08-17
- B-2 08-0262** An Ordinance to Add a New Section 9:15 to Chapter 106 (Nuisances) of Title IX of the Code of the City of Ann Arbor - Nuisances Regarding Animals (Ordinance No. ORD-08-18)
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Kunselman, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-08-18
- B-3 08-0263** An Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor - Backyard Chickens (Ordinance No. ORD-08-19)
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that this ordinance be adopted at Second Reading.**
- Enactment No: ORD-08-19
- A motion was made by Councilmember Easthope, seconded by Councilmember Suarez, that the Ordinance be amended as follows:**
- Remove the following language from Section 9:42(1)**
- ...[Any person who keeps chickens in the City of Ann Arbor shall obtain a permit from the City prior to acquiring the chickens. No permit shall be issued to a person , by the City, and no chickens shall be allowed to be kept unless the owners of all residentially zoned adjacent properties (as defined below in subsection 3 (j)) consent in writing to the permit and this consent is presented along with an application for a permit. Written statements waiving the distance requirement in subsection (3) below shall also be submitted at the time of application and become a part of the permit if issued.] ...**
- On a voice vote, the Mayor declared the motion defeated.**
- Enactment No: ORD-08-19

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

- Delete from 9:42(1): "THE" AFTER "OWNERS OF ALL" AND REPLACE WITH "RESIDENTIALLY ZONED"
- Add To 9:42(1): "PERMITS EXPIRE AND BECOME INVALID FIVE (5) YEARS AFTER THE DATE OF ISSUANCE. A PERSON WHO WISHES TO CONTINUE KEEPING CHICKENS SHALL HAVE OBTAINED A NEW PERMIT ON OR BEFORE THE EXPIRATION DATE OF THE PREVIOUS PERMIT. APPLICATION FOR A NEW PERMIT SHALL BE PURSUANT TO THE PROCEDURES AND REQUIREMENTS THAT ARE APPLICABLE AT THE TIME THE PERSON APPLIES FOR A NEW PERMIT."
- Add To 9:42(3)(J): "EXCEPT FOR PARCELS THAT ARE LEGALLY ADJACENT TO BUT ARE IN FACT SEPARATED FROM THE APPLICANT'S PROPERTY BY A PUBLIC OR PRIVATE STREET."

Add to 9:42(3)(WILL BE A SUBSECTION [M]): "IF THE ABOVE REQUIREMENTS ARE NOT COMPLIED WITH, THE CITY MAY REVOKE ANY PERMIT GRANTED UNDER THIS SECTION AND/OR INITIATE PROSECUTION FOR A CIVIL INFRACTION VIOLATION."

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

- Yeas:** 6 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, and Councilmember Briere
- Nays:** 5 - Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Greden, Councilmember Higgins, and Councilmember Easthope

Enactment No: ORD-08-19

Councilmember Rapundalo moved to amend Section 9:42(3)(j) from a 5-year permit to 1-year. The motion died without support.

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

Add New Section 5:

THE CITY COUNCIL SHALL REVIEW THIS CHAPTER AND RECOMMEND CHANGES AS DEEMED APPROPRIATE, IF ANY, BY THE FIRST COUNCIL MEETING IN JUNE 2009.

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

Enactment No: ORD-08-19

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

Section 6. That this Ordinance shall take effect SIXTY (60) [ten (10)] days following legal publication.

Note: Bracketed language removed.

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

Enactment No: ORD-08-19

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

Update one-year review period to be one-year from implementation (August 2009).

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

Enactment No: ORD-08-19

A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Ordinance be approved as amended. On a roll call, the vote was as follows with the Mayor declaring the motion carried.

Yeas: 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

Nays: 4 - Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Greden, and Councilmember Easthope

Enactment No: ORD-08-19

DS-14 08-0551

Resolution Authorizing Summary Publication of an Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor (ORD-08-19) - Backyard Chickens

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

Enactment No: R-08-231

B-4 08-0489

An Ordinance to Amend Sections 2:61, 2:62, 2:63, 2:64, 2:65 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 Increased Costs of Operation and Maintenance (Ordinance No. ORD-08-20)

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

Enactment No: ORD-08-20

C ORDINANCE - FIRST READING

C-1 08-0510 An Ordinance to Amend Section 2:5 (Solid Waste Containers) of Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges (Ord. No. ORD-08-21)

A motion was made by Councilmember Teall, seconded by Councilmember Lowenstein, that the Ordinance be approved on First Reading to the City Council, due on 6/16/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-21

C-2 08-0515 An Ordinance to Amend to Chapter 55, Rezoning of 4 Ann Arbor Township Properties (Anderson/Connell, Powsner, Stetz and Thompson) from TWP (Township District) to R1A and R1B (Single-Family Dwelling District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Lowenstein, that the Ordinance be Approved on First Reading to the City Council, due on 7/7/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-22

C-3 08-0516 An Ordinance to Amend to Chapter 55, Rezoning of 1.0 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Desprez Property, 3490 East Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A motion was made by Councilmember Easthope, seconded by Councilmember Briere, that the Ordinance be Approved on First Reading to the City Council, due on 7/7/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-23

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

A motion was made by Councilmember Greden, seconded by Councilmember Higgins, that the regular session of Council be recessed for a closed session to discuss pending litigation, attorney client privileged communication and Land Acquisition. On a roll call, the vote was as follows with the Mayor declaring the motion carried, and the meeting adjourned at 10:52 p.m.:

Yeas: 11 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Easthope, Councilmember Anglin, and Councilmember Briere

Nays: 0

RECONVENE

A motion was made by Councilmember Higgins, seconded by Councilmember Easthope, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:22 P.M.

D MOTIONS AND RESOLUTIONS**D Old Business**

None.

DC New Business - Council:

DC-1 08-0544 Resolution to Appoint Two Members to the Ann Arbor - Ypsilanti SmartZone LDFA Board

Sponsors: Rapundalo

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

Enactment No: R-08-232

DC-2 08-0578 Resolution to Order Election and to Determine Ballot Question for Referendum in Question if Issuance of 2008 Courts and Police Facilities Capital Improvement Bond

Sponsors: Anglin

A motion was made by Councilmember Anglin, seconded by Councilmember Suarez, that the Resolution be Approved. On roll call, the vote was as follows, with the Mayor declaring the motion Defeated.

Yeas: 3 - Councilmember Suarez, Councilmember Anglin, and Councilmember Briere

Nays: 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, and Councilmember Easthope

DC-3 08-0593 Resolution to Extend Deadline for Ann Arbor Discovering Downtown (A2D2) Recommendations for Downtown Zoning, Downtown Design Standards, Design Guidelines, and Design Review Process, and Historic District Design Guidelines

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Resolution be Approved.

Enactment No: R-08-233

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

Resolved, That City Council ask that the A2D2 Steering Committee look closely at the D1 core zoning and return with a recommendation that will address appropriate height and massing and provide examples for 150 ft. and 180 ft.

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

Yeas: 6 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Greden, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

Nays: 5 - Councilmember Suarez, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Higgins, and Councilmember Easthope

Enactment No: R-08-233

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

Enactment No: R-08-233

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

DS-1 08-0547 Resolution to Approve a Conceptual Plan to Redesign Fifth Avenue and Division Streets between Packard and Beakes to be More Bicycle and Pedestrian Friendly

A motion was made by Councilmember Briere, seconded by Councilmember Easthope, that the Resolution be Approved.

It was requested that staff send more information to Council regarding the grant funding.

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Resolution be postponed to the City Council and should be returned by 7/7/2008. On a voice vote, the Mayor declared the motion carried.

DS-2 08-0517 Resolution Approving the 2008 Court and Police Facilities Capital Improvement Bonds (Limited Tax General Obligation) (\$31,000,000.00)

A motion was made by Councilmember Easthope, seconded by Councilmember Teall, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 9 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, and Councilmember Easthope

Nays: 2 - Councilmember Anglin, and Councilmember Briere

Enactment No: R-08-234

DS-3 08-0519 Resolution to Approve a Contract with Amerinet to Upgrade City's Network Switches - Bid No. 3913 (\$202,480.00)

Councilmember Easthope left the meeting at 12:16 a.m.

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

Enactment No: R-08-235

Present: 10 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, and Councilmember Sabra Briere

Absent: 1 - Councilmember Christopher S. Easthope

DS-4 08-0486 Resolution to Adopt the Strategic Water Quality Initiatives Fund Project Plan for the Footing Drain Disconnect Program (\$6,830,000.00 Over 5 Years)

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

Enactment No: R-08-236

DS-5 08-0474 Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Environmental Consulting & Technology, Inc. (\$170,278.00) for the Millers Creek Bank Stabilization Hubbard to Glazier Project

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

Enactment No: R-08-237

DS-6 08-0476 Resolution to Approve a Professional Services Agreement with CDM Michigan, Inc. (\$77,994.00) and Establish a Project Budget (\$85,000.00) for Washington Street Sanitary Sewer Flow Monitoring and Analysis (8 Votes Required)

A motion was made by Councilmember Briere, seconded by Councilmember Lowenstein, 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-08-238

DS-7 08-0534 Resolution to Approve Contracts for Professional Landscape Architecture, Architecture and Engineering Services for Parks Capital Projects per Statement of Qualifications #689 with Beckett & Raeder, Bona & Kolb Architects and Designers, Mitchell and Mouat Architects, and The Mannik & Smith Group (Not to Exceed \$300,000.00)

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

Enactment No: R-08-239

DS-8 08-0471 Resolution to Approve Contracts with the Housing Bureau for Seniors and the Washtenaw County Treasurer for a Mortgage and Tax Foreclosure Revolving Loan Fund (\$80,000.00 General Fund Reserves, \$10,000.00 AAHTF) (8 Votes Required)

A motion was made by Councilmember Rapundalo, 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-08-240

DS-9 08-0472 Resolution to Amend Resolution R-08-069 for Mortgage Foreclosure Intervention and Prevention Services for the Use of General Fund Reserves (\$20,000.00 General Fund Reserves) (8 Votes Required)

A motion was made by Councilmember Rapundalo, 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-08-241

Passed on consent agenda

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

DS-10 08-0482 Resolution to Approve Street Closings for the UA Block Party - August 11, 2008

Enactment No: R-08-242

DS-11 08-0525 Resolution to Approve the 2008 Ann Arbor Jaycees Summer Carnival at Pioneer High School - July 3 to July 6, 2008

Enactment No: R-08-243

DS-12 08-0528 Resolution to Approve Street Closings for the 2008 Ann Arbor Jaycees Fourth of July Parade

Enactment No: R-08-244

DS-13 08-0533 Resolution to Approve Street Closing for Oktoberfest - September 12 & 13, 2008

Enactment No: R-08-245

E COMMUNICATIONS FROM THE MAYOR

E-1 08-0545 Appointment Confirmations

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

E-2 08-0590 Appointment - Confirmations

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere updated City Council regarding a grant received by the Huron River Watershed Council regarding phosphorus testing.

F COMMUNICATIONS FROM CITY ADMINISTRATOR

F-1 08-0505 Implementation Prioritization for the Malletts Creek Association's April 2007 Watershed Recommendations

Sponsors: Kunselman

F-2 08-0526 Greenbelt Advisory Commission Member Term Appointments

F-3 08-0542 First Quarter 2008 Investment Portfolio Report

G COMMUNICATIONS FROM CITY ATTORNEY

G-1 08-0592 Resolution Approving Settlement of Lawsuit Entitled Ann Arbor Center for Independent Living, et al. vs. City of Ann Arbor, et al., Case No. 04-73352 (E.D. Mich.)

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

Enactment No: R-08-246

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 Lowenstein, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

H-1 08-0548 Communication from the Main Street Area Association regarding support of the proposed "City Place" Site Plan and Rezoning - Planning and Development Services

H-2 08-0549 Communication from S.E.M.C.O.G. regarding their biweekly publication, Vol. 13, No. 10 May 5, 2008

H-3 08-0550 Communication from the Washtenaw County Historical Society regarding their publication of the Washtenaw County Historical Society Impressions Newsletter - May 2008 Edition

I The following minutes were received for file:

I-1 08-0452 Building Board of Appeals Minutes - August, September, October, November, December 2007, January, February, March, 2008

I-2 08-0454 Ann Arbor Housing Commission Minutes - February, March, April 2008

- I-3 **08-0499** Ann Arbor Energy Commission Meeting Minutes - April 8, 2008
- I-4 **08-0500** Recreation Advisory Commission Minutes - April 1, 2008
- I-5 **08-0506** Historic District Commission Minutes - January 10, 2008; February 14, 2008; March 13, 2008
- I-6 **08-0518** SmartZone - LDFA March 11, 2008 Special Meeting Minutes
- I-7 **08-0546** Ann Arbor Transportation Authority Board Minutes of April 16, 2008

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

ADJOURNMENT

A motion was made by Councilmember Anglin, seconded by Councilmember Higgins, that the meeting be Adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 12:39 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 2, 2008, 2008; 7:00 P.M.

REPLAYS: TUESDAY, JUNE 3, 2008; 10:30 A.M. AND FRIDAY, JUNE 6, 2008 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 994-2725 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.