

City of Ann Arbor

100 N. Fifth Avenue
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>



Action Minutes

Monday, February 1, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Building, 100 N. Fifth Avenue, 2nd Floor

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:06 p.m. in the Guy C. Larcom Jr., Municipal Building, 2nd Floor Council Chambers, 100 N. Fifth Avenue.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

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

ROLL CALL OF COUNCIL

Present: 10 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Carsten Hohnke

Absent: 1 - Councilmember Margie Teall

APPROVAL OF AGENDA

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

**Move: INT-3 Carmine Palombo of SEMCOG: East/West Commuter Rail
(Consider before INT-1 Mack Pool Task Force Report.)**

**Add
&**

Move: INT-4 Recognition of CHS Group, Inc. (Consider before INT-3 East/West Commuter Rail)

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

INT INTRODUCTION**INT-4 Recognition of CHS Group Inc.**

Mayor Hieftje thanked CHS Group, Inc. for partnering with the Adopt-A-Park Program in May 2009. The CHS Group washed playground equipment, pulled weeds from playground areas and ensured all trash was picked up and placed in receptacles. They also assisted in making bookmarks for Adopt-A-Park, as well as assorted postcards and other mailings. CHS Group, Inc. provides training opportunities for people with disabilities, about the necessary skills to secure employment. Working together with Adopt-A-Park has and will continue to give CHS clients a sense of confidence, responsibility and satisfaction of a job well done. In addition, it raises public awareness that people with disabilities are not only capable, but also willing to participate in communities and to make them a more beautiful place to live.

INT-3 10-0124 Carmine Palombo of SEMCOG: East/West Commuter Rail

Carmine Palombo of SEMCOG updated Council on the East/West Commuter Rail. He said that the project team continues to make progress on critical activities that would allow some service to start in October 2010. Mr. Palombo provided an update of the major activities that have taken place since the last update, a copy of which is on file in the City Clerk's Office.

INT-1 10-0122 Mack Pool Task Force Report

Colin Smith, Park Manager, presented a slide presentation to Council regarding the recommendations of the Mack Pool Task Force. The Task Force was created to explore ways of decreasing the cost to the General Fund for the operation of Mack Pool. A copy of the report is on file in the City Clerk's Office.

INT-2 10-0123 Senior Center Task Force Report

Colin Smith, Park Manager, presented a slide presentation to Council regarding the recommendations of the Senior Center Task Force. The Task Force was created to explore ways of decreasing the cost to the General Fund for the operation of the Senior Center. A copy of the report is on file in the City Clerk's Office.

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**

(Councilmember Teall arrived at 8:00 p.m.)

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

1. Andrew McGill - Airport Capital Budgeting (DS-4)

Andrew McGill, 5221 Crooked Stick St., spoke in opposition of the proposed Airport Capital Budget in the Capital Improvements Plan (CIP).

**2. Jim Mogensen - Why do we keep encouraging sprawl? (DC-1 & DB-1,
DB-2, DB-3)**

Jim Mogensen, 3780 Greenbrier, asked why the City keeps encouraging sprawl. He expressed concern with the Commuter Rail stop in Ypsilanti replacing AATA services in Ypsilanti, and the park and ride lot on Plymouth Road in Ann Arbor. That stop has reduced bus service to the Public Housing complex located on Green Road.

3. Libby Hunter - Mack Pool Senior Center (DS-4)

Libby Hunter, 827 Bruce, serenaded Council to the tune of "My Bonnie Lies Over The Ocean" in protest of closing Mack Pool and the Senior Center.

4. Margaret Wong - Greenway Parks and Arts Center (DC-1)

Margaret Wong, 418 S. First St., member of Allen Creek Greenway Conservancy, spoke in support of the proposed Greenway Park and Arts Center located at 415 W. Washington.

5. Thomas Partridge - Access to housing rehabilitation funding and affordable housing (CA-1, CA-2)

Thomas Partridge, 4220 Eyrie Drive, addressed Council regarding access to Housing Rehabilitation Funding and Affordable Housing in Washtenaw County.

6. Ray Fullerton - Greenway Parks and Arts Center (DC-1)

Ray Fullerton, 505 E. Huron St., spoke in support of the proposed Greenway Park and Arts Center located at 415 W. Washington.

7. Tamara Real - Greenway Parks and Arts Center (DC-1)

Tamara Real, 411 Fountain, spoke in support of the proposed Greenway Park and Arts Center located at 415 W. Washington.

8. Lou Glorie - Greenway Parks and Arts Center (DC-1)

Lou Glorie, 827 Brooks St., spoke in support of the proposed Greenway Park and Arts Center located at 415 W. Washington.

9. Connie Cronenwett - Greenway Parks and Arts Center (DC-1)

Connie Cronenwett, 631 Northside Ave., addressed Council in support of the proposed Greenway Parks and Arts Center located at 415 W. Washington.

10. Blaine Coleman - Boycott Israel

Blaine Coleman, P.O. Box 7038, addressed Council regarding boycotting Israel.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER TEALL*

Councilmember Teall reminded everyone that February 2, 2010 is the 6th annual Midwinter Candlelight walk through Dicken Woods. Trails will be lighted from 7-8 p.m. beginning at Dicken School.

COUNCILMEMBER TAYLOR

Councilmember Taylor announced that the Burns Park Players production of Guys and Dolls is on February 5, 6, 11, 12 and 13, 2010. He encouraged all to attend.

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo said that he would give 3% of his pay back to the City on a quarterly basis. He also announced that he and Councilmember Derezinski would be bringing forward a proposed ordinance change regulating text and cell phone use in vehicles.

COUNCILMEMBER DEREZINSKI

Councilmember Derezinski asked that staff look into alternatives to deal with the issue of deer in the city.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman thanked administration for organizing the tour of the new Police and Court facility.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*BUDGET DISCUSSION UPDATES*

City Administrator Roger Fraser explained the budget process and the work that the Budget Committee and staff have done. He explained the difference with this year's process and the "big ideas" and what it is they typically do in a budget preparation cycle. For many years, staff has been asked to meet certain budget targets, typically a 2-5% reduction in spending. FY 2011 already had a 3% reduction in spending planned from the last 2-year budget preparation. Staff has since been asked to develop budget recommendations with an additional 7.5% proposed reduction. Budget Impact Sheets have been prepared for each Service Unit, explaining the proposed changes to the budget and the impacts to service delivery. In addition, Council has been asked to look at all of the services and provide feedback regarding what is most important.

Mr. Fraser noted that the list provided to Council in December was not in any way meant to be all inclusive. Mr. Fraser encouraged Council to make other suggestions regarding the budget as well. Materials shared with Council last week during the Work Session were in the Community Services Area. This area has the most customer contact, and the area where there is most likely contention surrounding the budget. He asked that Council take a look at the alternatives presented and provide feedback about them.

Work sessions have been scheduled for February 8, February 22, and March 8, 2010 starting at 6 p.m. Budget Impact Sheets will be made available to Council for the February 8, 2010 work session. Staff will look for feedback regarding the "big ideas" and the proposals on the Impact Sheets that are part of the 7.5% reduction, during the work sessions.

PEDESTRIAN BIDS REPLACEMENT PROJECT MEETING

Mr. Fraser announced that a meeting regarding the Ann Arbor/Saline Road Pedestrian Bids Replacement Project is scheduled for February 9, 2010. The meeting will be held at Lawton Elementary auditorium, 2250 S. Seventh Street starting at 6:30 p.m.

FULLER ROAD STATION

A second public meeting is being held on February 10, 2010 from 7-9 p.m. in Council Chamber regarding the Fuller Road Transit Station.

FINANCIAL NEWS

The Michigan Department of Natural Resources announced a number of new loan commitments that have been made by the State revolving loan fund. Three of them benefit Ann Arbor. There is a loan for approximately \$1.7 million for the Allen Creek Drainage District for stormwater improvements related to West Stadium Boulevard Improvements, another similar amount to Allen Creek Drainage for West Park stormwater improvements, and a \$7.6 million loan to the City for water system projects, including two projects at the Water Treatment Plant and two watermain replacements projects. Each has a benefit forgiveness of approximately 40% of the loan value under the American Recovery Act so it is a substantial benefit for the City to be able to qualify for these loans.

FEDERAL SERVICE TRANSPORTATION FUND

Mr. Fraser announced that the City recently initiated a grant application process with the Federal Service Transportation Fund for an \$8 million grant to help pay for the Stadium Bridges.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 10-0040 An Ordinance to Amend Section 1:572(b) of Chapter 18, (Employees Retirement System) Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-10-04)
A public hearing was conducted on the proposed amendment to Section 5:1572(b) of Chapter 18, Employees Retirement System. Notice of public hearing was published January 28, 2010.

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

PH-2 09-0786 Resolution to Establish a Bicycle Registration Information Package and Amend the Fee for Bicycle Registration
A public hearing was conducted on the proposed Resolution to establish a Bicycle Registration Information Package and amend the fee for Bicycle Registration. Notice of public hearing was published January 28, 2010.

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

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 10-0089 Council minutes of January 11 and 19, 2010

A motion was made by Councilmember Derezinski, seconded by Councilmember Teall, that the regular session minutes of January 19, 2010 and the work session of minutes of January 11, 2010 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 Smith, 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 10-0008 Resolution to Approve Housing Rehabilitation Agreement with Kimberly Minetee at 2910 Verle Avenue (\$37,578.00 HOME Funds)
Enactment No: R-10-016

CA-2 10-0009 Resolution to Approve Housing Rehabilitation Agreement with Mark Wells at 14 Englewood Ct. (\$39,551.00 CDBG Funds)
Enactment No: R-10-017

- CA-3 10-0071** Resolution Recognizing Health in Action as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
Enactment No: R-10-018

B ORDINANCES - SECOND READING

- B-1 09-0775** An Ordinance to Amend Chapter 127 (Bicyclists) and Chapter 126 (Traffic) of the City Code (Bicycle Safety; Pedestrian Rights and Responsibilities) (Ordinance No. ORD-10-01)
A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.
- DS-1 09-1065** Resolution to Authorize Summary Publication of Ordinance No. ORD-10-01 to repeal Sections 10:164 through 10:173 of Chapter 127 (Bicyclists) of Title X and to Repeal Section 10:145, Add a New Section 10:146, and Amend Section 10:148 of Chapter 126 (Traffic) of Title X of the Code of the City of Ann Arbor
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.
Enactment No: R-10-019
- B-2 09-0785** An Ordinance to Amend Section 10:162 of Chapter 127 of the City Code (Bicyclists - Registration Procedure) (Ordinance No. ORD-10-02)
A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the Ordinance be adopted at second reading.
Enactment No: ORD-10-02
A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the Ordinance be tabled. On a voice vote, the Mayor declared the motion carried.
- DS-2 09-1243** Resolution to Authorize Summary Publication of Ordinance No. ORD-10-02 to Amend Section 10:162 Of Chapter 127 (Bicyclists) Of Title X Of The Code Of The City Of Ann Arbor
A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the resolution be approved.
A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the Resolution be tabled. On a voice vote, the Mayor declared the motion carried.
- B-3 10-0040** An Ordinance to Amend Section 1:572(b) of Chapter 18, (Employees Retirement System) Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-10-04)
A motion was made by Councilmember Anglin, seconded by Councilmember Teall, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

- DS-9 10-0077** Resolution Authorizing Summary Publication of Ordinance No. ORD-10-04 Amending Section 1:572(b) of Chapter 18 of the Ann Arbor City Code Increasing IAFF Employee Contributions to the Employees Retirement System
- 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-10-020

RECESS

The Mayor declared a recess at 8:58 p.m. and reconvened the meeting at 9:13 p.m.

C ORDINANCES - FIRST READING

- C-1 09-1125** An Ordinance to Amend Chapter 85 (Taxicabs) to include Section 7:174 to Require Licensed Taxicab Companies that License 10 or More Vehicles in the City to Operate as a Full Service Taxicab Company (Ordinance No. ORD-10-05)
- Sponsors:** Taylor and Kunselman
- A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Ordinance be approved on first reading and should be returned on 2/16/2010 for second reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-10-05
- C-2 10-0045** An Ordinance to Amend Chapter 61, Signs and Outdoor Advertising, to Allow Portable Exterior Business Signs (Ordinance No. ORD-10-06)
- Sponsors:** Briere
- A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Ordinance be approved on first reading and should be returned on 2/16/2010 for second reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-10-06

D MOTIONS AND RESOLUTIONS

- DC-1 10-0096** Resolution calling for the Creation of an Innovative Process of Community Collaboration to Explore a Greenway Park and Arts Center at 415 W. Washington
- Sponsors:** Hieftje, Hohnke and Teall
- A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, that the Resolution be approved.**
- Enactment No: R-10-028

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

Add RESOLVED Clause:

RESOLVED, THAT THE EVENTUAL PROPOSAL WILL HAVE THE GOAL THAT THE RENOVATION, INSTALLATION, CONVERSION AND FUTURE OPERATIONS ARE REVENUE NEUTRAL FOR THE CITY'S GENERAL FUND.

Note: All CAPS indicate new language.

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

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

Resolution calling for the Creation of an Innovative Process of Community Collaboration to Explore a Greenway Park and Arts Center at 415 W. Washington

1. Whereas, There was a Request for Proposals process for the city owned site at 415 W. Washington that did not result in a proposal moving forward;
2. Whereas, In Alternative B of their report, the Greenway Task Force recommended that 415 W. Washington become a combined Greenway Park and Arts Center;
3. Whereas, This site is just a short walk from the Main St. area of Downtown Ann Arbor and is just across the street from the YMCA that is enjoyed by thousands of residents including seniors and children;
4. Whereas, There is great potential for this site to be the anchor park of a new Greenway that will someday join the existing Huron River Greenway;
5. Whereas, The lack of affordable space for studios, art display, and performance space in Ann Arbor is known to have forced some artists and musicians in the community to take their craft away from the city;
6. Whereas, Ann Arbor has long been considered a haven for the arts and hosts the largest art fair in the nation and recent studies have confirmed that the arts annually contribute millions of dollars to the local economy and provide thousands of jobs in the greater Ann Arbor area;
7. Whereas, 415 W. Washington provides a wonderful opportunity for the display of public art for all to enjoy;
8. Whereas, A large portion of the site lies within the floodway. THE REMAINDER OF THE SITE LIES WITHIN THE FLOODPLAIN;
9. Whereas, The site IS NOT DOWNTOWN BUT lies within the boundaries of the Downtown Development Authority;
10. Whereas, If it is determined BY THE CITIZEN COMMITTEE that the brick building that fronts on Washington and is part of the Old West Side Historic District can be restored in a cost effective manner there is great potential in redeveloping this site as a model of energy efficiency supported by renewable energy;
11. Whereas, The building could be made available to artists and others in the community as a place for studios, gatherings, meetings, and performances;
12. Whereas, Even in this time of reduced resources for all local governments in Michigan it may be possible to maintain momentum on long term community goals using an innovative approach that conserves and stretches resources;
13. Whereas, A collaboration between the City and other organizations in the

community affords the best opportunity to make progress on building a new park and arts center that will benefit the City for many years to come;

14. Whereas, The Allen Creek Greenway Conservancy was established to work for the creation of a new greenway and to generate funds to facilitate creation of the Greenway;

15. Whereas, The Arts Alliance was formed to promote and facilitate the arts in the Ann Arbor area and many other potential partners exist in the community who would be interested in assisting in moving this project forward;

16. Whereas, Individuals in the community have recently expressed a willingness to contribute to the development of new parks; and

17. Whereas, Funds for a combined Community Arts Center and Greenway Park may be available through grants related to art centers, parks, historic renovation, energy efficiency and renewable energy, brownfield reclamation, floodway restoration, etc.;

1. Resolved, That City Council invites the Allen Creek Greenway Conservancy and the Arts Alliance to join with [them] A CITIZEN COMMITTEE in exploring the creation of a Greenway Park and Arts Center at 415 W. Washington; to collaborate in assessing the site and with other efforts to accomplish this community goal;

2. [Resolved, That City Council invites the Allen Creek Greenway and the Arts Alliance to work with them in raising funds for a comprehensive grant search and application process;]

RESOLVED, THAT CITY COUNCIL REQUESTS THAT THE DOWNTOWN DEVELOPMENT AUTHORITY CONTRIBUTE \$50,000 TO ASSIST THE CITIZEN COMMITTEE IN FINDING AND APPLYING FOR GRANTS.

3. Resolved, That City Council asks the Downtown Development Authority, the Parks Advisory Commission, the Art in Public Places Commission, The Energy Commission, the Main St. Area Association, the Office of the County Water Resources Director and other City and community entities and individuals willing to contribute resources and expertise to this effort to be open to collaboration with the [City, the Greenway Conservancy and the Arts Alliance;]THE CITIZEN COMMITTEE;

[4. Resolved, That the Mayor's Office and Council Members Teall and Hohnke will work with government and community partners in exploring the creation of a Greenway Park and Arts Center at 415 W. Washington; and]

RESOLVED, THAT THE COMMITTEE WILL BE COMPOSED OF ANY ANN ARBOR RESIDENT WHO DESIRES TO PARTICIPATE IN THIS PROCESS. LEADERSHIP OF THIS COMMITTEE SHALL BE DETERMINED BY A VOTE OF THE COMMITTEE. THE MAYOR'S OFFICE AND CITY COUNCIL WILL COOPERATE WITH THIS COMMITTEE IN EXPLORING THE CREATION OF A GREENWAY PARK AND ARTS CENTER AT 415 W WASHINGTON; AND

RESOLVED, THAT ANY PERMANENT USE OF THIS SITE IS CONTINGENT ON AN UPDATED WATERSHED STUDY TO ASSESS THE RISK OF FLOODING, AND

5. Resolved, That a progress report be delivered to City Council at the first meeting in [February, 2011]. JULY.

Sponsored by: Mayor Hieftje, Council Members Hohnke and Teall

Note: [] Brackets indicate deleted language. All CAPS indicate new language.

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

Yeas: 1 - Councilmember Anglin

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

10-0096

Resolution calling for the Creation of an Innovative Process of Community Collaboration to Explore a Greenway Park and Arts Center at 415 W. Washington

Sponsors: Hieftje, Hohnke and Teall

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

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

Nays: 0

Enactment No: R-10-028

DC New Business - Council:

None.

DB New Business - Boards and Commissions:

DB-1 10-0003

Resolution to Approve Participation Agreement for Purchase of Development Rights on Zeeb Farm and Appropriate \$165,140.00 from Open Space and Parkland Preservation Bond Proceeds (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, thus satisfying the eight-vote requirement.

Enactment No: R-10-021

DB-2 10-0024

Resolution to Approve Grant Application to Federal Farm and Ranch Land Protection Program for Purchase of Development Rights on G. Whitney Property (8 Votes Required)

A motion was made by Councilmember Hohnke, 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-10-022

DB-3 10-0025

Resolution to Approve Grant Application to Federal Farm and Ranch Land Protection Program for Purchase of Development rights on Honke Family LLC Property (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, thus satisfying the eight-vote requirement.

Enactment No: R-10-023

DS Old Business - Staff:

DS-3 09-0786

Resolution to Establish a Bicycle Registration Information Package and Amend the Fee for Bicycle Registration

A motion was made by Councilmember Hohnke, seconded by Councilmember Higgins, that the resolution be approved.

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

DS-4 09-1251

Resolution to Approve FY 2011-2016 Capital Improvements Plan (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

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

RESOLVED, That City Council HEREBY AMENDS THE FY2011-2016 CAPITAL IMPROVEMENTS PLAN (CIP) AS APPROVED BY THE CITY PLANNING COMMISSION ON DECEMBER 15, 2009, TO DELETE THE 800 RUNWAY SAFETY EXTENTION PROJECT; AND

RESOLVED, THAT CITY COUNCIL [hereby]approves the FY 2011-2016 Capital Improvements Plan AS AMENDED .

Note: [] Bracket indicates deleted language. All CAPS indicates new language.

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 Teall, Councilmember Anglin, Councilmember Briere, Councilmember Taylor and Councilmember Hohnke

Nays: 3 - Councilmember Rapundalo, Councilmember Smith and Councilmember Derezinski

A motion was made by Councilmember Briere, seconded by Councilmember Smith, to close debate and vote immediately on the pending question. On a voice vote, the Mayor declared the motion carried.

09-1251

Resolution to Approve FY 2011-2016 Capital Improvements Plan (CPC)
Recommendation: Approval - 9 Yeas and 0 Nays)

A motion was made by Councilmember Higgins, seconded by Councilmember Smith, that the Resolution be postponed until 2/16/2010. On roll call, the vote was as follows, with the Mayor declaring the motion carried.

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

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

New Business - Staff:

DS-5 09-1247

Resolution to Remove Parking on One Side of Baldwin

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

Enactment No: R-10-024

DS-6 10-0007

Resolution to Purchase 0.58 Acre at 220 Sunset and Appropriate \$381,170 from Open Space and Parkland Preservation Millage Bond Proceeds (8 Votes Required)

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

Staff was asked to provide additional information regarding the parking and property appraisal.

A motion was made by Councilmember Higgins, seconded by Councilmember Hohnke, that the Resolution be postponed until 2/16/2010. On a voice vote, the Mayor declared the motion carried.

DS-7 10-0011

Resolution to Accept Donation of 1.1 Acres from Riverview of Ann Arbor Property for Parkland per Approved Site Plan (8 Votes Required)

A motion was made by Councilmember Higgins, seconded by Councilmember Derezinski, 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-10-025

DS-8 10-0016

Resolution Extending the Emergency Moratorium in the Proposed South Fourth and Fifth Avenues Historic District

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

Enactment No: R-10-026

DS-10 10-0048

Resolution to Approve Plymouth Green Crossings PUD Amended Development Agreement, 3391 Plymouth Road

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

Enactment No: R-10-027

SUSPENSION OF COUNCIL RULES

A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Suspension of Council Rules to allow Closed Session after 11:00 p.m. be approved. On a voice vote, the Mayor declared the motion carried.

E COMMUNICATIONS FROM THE MAYOR

E-1 10-0062 Appointments & Nominations - Confirmations

Mayor Hieftje recommended the following appointments at the January 19, 2010 regular session of Council.

Board of Review

*Timothy Somers
2944 Whittier West
Ann Arbor, MI 48104
Term: February 1, 2010-January 31, 2013*

*Katherine White
1849 Saxon Rd.
Ann Arbor, MI 48103
Term: February 1, 2010-January 31, 2013*

Ann Arbor Public Art Commission

*Jeff Meyers
1503 Granger Ave.
Ann Arbor, MI 48104
Term: February 1, 2010-December 31, 2013*

SEMCOG Liaison Alternate

*John Hieftje
1046 Baldwin
Ann Arbor, MI 48104
Term: February 1, 2010-February 1, 2012*

The following appointments were approved as a one-step process:

Design Guidelines Taskforce

*Norm Tyler
126 N. Division
Ann Arbor, MI 48104
Term: 2/16/10 - Until task completed*

*Kirk Westphal
690 Peninsula Ct.
Ann Arbor, MI 48105
Term: 2/16/10 - Until task completed*

*Peter Pollack
515 Detroit St.
Ann Arbor, MI 48104
Term: 2/16/10 - Until task completed*

*Tamara Burns
1614 Harbal Dr.
Ann Arbor, MI 48105
Term: 2/16/10 - Until task completed*

Marcia Higgins

1512 Marian Ave.
Ann Arbor, MI 48103
Term: 2/16/10 - Until task completed

William Kinley
Ann Arbor, MI 48105
Term: 2/16/10 - Until task completed

Dick Mitchell
Term: 2/16/10 - Until task completed

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

Mayor Hieftje thanked City staff for fixing a watermain leak in the front of his house in a timely manner.

E-2 10-0100

Appointments - Confirmation

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

Economic Development Corporation Board

Timothy Patton (Filling vacancy)
2100 Londonderry
Ann Arbor, MI 48104
Term: February 16, 2010 - February 16, 2016

Employees Retirement System Board of Trustees

Alexa Nerdrum (Re-Appointment)
3176 Lakewood Drive
Ann Arbor, MI 48103
Term: February 16, 2010 - February 16, 2013

Commission on Disability Issues

Romona Williams (Replacing -Paul Cartman)
923 S. Seventh St.
Ann Arbor, MI 48103
Term: February 16, 2010 - February 16, 2013

10-0097

Agenda Questions for Council Meeting of 2/1/10

Sponsors: Kunselman

Received and filed.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER HIGGINS*

Councilmember Higgins announced that she too would be joining her fellow councilmembers to give back 3% of her pay.

Councilmember Higgins ask that the communication regarding the DDA creating a Special Events/Busy Evening Parking Rate be presented in the form of a resolution to City Council on the February 16, 2010 agenda.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 10-0021 DDA to Create a Special Events/Busy Evening Parking Rate

Filed**G G - COMMUNICATIONS FROM THE CITY ATTORNEY**

City Attorney Postema informed Council that he would have Assistant City Attorney Mary Fales follow up on the appraisal issue brought up regarding 220 Sunset.

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

H The following communications were referred as indicated:

Passed on consent agenda

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

H-1 10-0028 Communication from the Michigan State University Extension regarding their November 2009 issue of "Bringing Knowledge to Life in Washtenaw County"

H-2 10-0073 Communication from Mary Hathaway regarding the Library Lot - File

Filed

I The following minutes were received for file:

I-1 09-1244 Council Liquor License Review Committee - November 13, 2009

I-2 10-0030 Greenbelt Advisory Commission Minutes of November 4, 2009 and December 9, 2009

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| I-3 | 10-0031 | W.A.T.S. Meeting Minutes - December 4, 2009 |
| I-4 | 10-0037 | Ann Arbor Downtown Development Authority Meeting Minutes - December 2, 2009 |
| I-5 | 10-0038 | Downtown Area Citizens Advisory Council Minutes - December 2, 2009 |
| I-6 | 10-0039 | Council Liquor License Review Committee - December 18, 2009 |
| I-7 | 10-0050 | Ann Arbor Board of Review Meeting Minutes - December 2009 |

Filed**PUBLIC COMMENT - GENERAL (3 MINUTES EACH)****KATHY GRISWOLD - KING SCHOOL CROSSWALK CONSTRUCTION**

Kathy Griswold, 3565 Fox Hunt Dr., requested that the City schedule a meeting to finalize the schedule for the King School crosswalk redesign as soon as possible.

CHARLES REAM - MEDICAL MARIJUANA

Charles Ream, member of the audience, stated that a law has been prepared to allow six medical marijuana centers to start in Ann Arbor. He suggested that a law be adopted to allow the centers to operate in Ann Arbor.

TIM HALL - STATE OF AATA AND TRANSPORTATION IN ANN ARBOR

Tim Hall, U of M student, expressed concern with the lack of AATA bus services at night and on the weekends. Some routes stop running at night and on weekends and some areas receive no service at all on the weekends. This is happening while more routes are made available to Park-N-Ride Lots and commuter shuttles. He said that the Mayor and council should look to make sure appointees to the AATA Board are people who are actually bus riders and are committed to making AATA service changes a more open process.

JOHN DADDONA - 415 W. WASHINGTON

John Daddona, 1641 Dicken Drive, said that he has worked on the 415 W. Washington building in the past and expressed concern with the use of 415 W. Washington. He was particularly concerned that use of the building would move forward without proper due diligence of the property; and that it was important to determine any environmental risks.

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

A motion was made by Councilmember Derezinski, seconded by Councilmember Taylor, that Council enter into Closed Session to discuss pending litigation and attorney/client communications as set forth in MCLA 15.268. On roll call, the vote was as follows, with the Mayor declaring the motion carried (The meeting recessed at 11:20 p.m.):

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:30 p.m.

ADJOURNMENT

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:30 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, FEBRUARY 1, 2010 AT 7:00 P.M.

REPLAYS: TUESDAY, FEBRUARY 2, 2010 AT 10:00 A.M. AND FRIDAY, FEBRUARY 5, 2010 AT 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.

10-0125

Council Emails from the February 1, 2010 Regular Session

Jacqueline Beaudry
Clerk of the Council

Anissa R. Bowden
Recording Secretary