



## Action Minutes

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City Council

July 17, 2006

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### **..Title**

ANN ARBOR CITY COUNCIL MINUTES REGULAR SESSION - JULY 17, 2006

### **..Body**

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:10 p.m. in the City Hall Council Chamber, 100 N. Fifth Avenue, Ann Arbor.

Council stood for a moment of silence.

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

### **ROLL CALL OF COUNCIL**

PRESENT : Councilmembers John Roberts, Robert M. Johnson, Joan Lowenstein, Stephen Rapundalo, Jean Carlberg, Leigh Greden, Margie Teall, Marcia Higgins, Christopher Easthope, Wendy A. Woods, Mayor John Hieftje, 11.

ABSENT : 0.

### **INTRODUCTIONS**

#### STATEMENT FROM THE CITY ATTORNEY

City Attorney Stephen K. Postema read a statement to the audience regarding conduct during City Council's Public Commentary speaking time.

### **PUBLIC COMMENTARY - RESERVED TIME**

#### KAREN SIDNEY - FIRST AND WASHINGTON

Karen Sidney, 100 Longman, addressed Council regarding the proposed First and Washington site. She urged council to vote against the proposal.

#### LAUREL FEDERBUSH - RESOLUTION AGAINST ISRAEL

Laurel Federbush, 2000 Anderson Ct., urged Council to pass the Ann Arbor Human Rights Commission Resolution regarding Palestine. She also expressed concern with the way police personnel have dealt with people speaking to Council at a previous council meeting.

#### RON LEV - CITY PROCESS FOR COLLECTING RESIDENTS' INPUT

Ron Lev, 2645 Easy St., addressed Council regarding the process of information gathering in areas where sidewalk improvements may be assessed. He said that time should be made available during the public hearing beyond the three minutes for personal opinions to allow someone to present on behalf of a larger group or organization.

#### BLAINE COLEMAN - PALESTINE

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Blaine Coleman, P. O. Box 7038, addressed Council regarding issues in Palestine.

MOZHGAN SAVABIEASFAHNI - RAPE OF ABEER BY U.S. MARINES

Mozhgan Savabieasfahni, 710 E. Ann, addressed Council regarding issues in the Middle East.

DAVID BOYLE - GOOGLE

David Boyle, member of the audience, addressed council regarding Google coming to Ann Arbor.

CALTHORPE

The following people expressed concern with the proposed Calthorpe project:

Michael Anglin, 549 S. First, asked the Council to address downtown development issues in a transparent manner.

Kathleen Clark, 549 S. First, asked Council to reconsider the proposed Calthorpe plan. She suggested the City issue a moratorium on buildings proposed to be built in the floodplain.

**PUBLIC HEARINGS**

EASY STREET SIDEWALK SPECIAL ASSESSMENT PROJECT

A public hearing was conducted on the proposed Easy Street Sidewalk Special Assessment Project. Notice of public hearing was published June 27, 2006.

Dwight Cendrowski, resident on Easy Street, spoke in opposition of the proposed sidewalk special assessment. He expressed concern with the City's process, stating that only a small minority of residents wants the sidewalks.

Ron Lev, resident on Easy Street, spoke in opposition of the proposed special assessment. He presented his own public opinion survey to Council regarding the desire for sidewalks on Easy Street.

David Rowe questioned how residents would feel if there wasn't any associated assessment. He stated sidewalks are necessary in urban neighborhoods and would encourage pedestrian travel to many nearby amenities.

Mike Kelsay, an Easy Street resident, spoke in opposition of the proposed special assessment.

Bill Tehoy, resident on Easy Street, said that he would not like to see sidewalks on Easy Street at this time.

Kathleen Nolan, resident on Easy Street, said that she was concerned about the realistic ability to design and build the sidewalk without the removal of existing trees and shrubs. She suggested a sidewalk on just one side of the street.

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

PFIZER GLOBAL RESEARCH AND DEVELOPMENT PUD SITE PLAN

A public hearing was conducted on the proposed Pfizer Global Research and Development PUD Site Plan, 144.13 Acres, located at 1600 Huron Parkway. Notice of public hearing was published July 9, 2006.

Peter Pollack from Pollack Design was available to answer questions of council.

Jim Mogensen, 3780 Greenbrier Blvd., #354C, expressed concern about how traffic flows around the Pfizer site.

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

**APPROVAL OF AGENDA**AGENDA APPROVED WITH CHANGES

Councilmember Woods moved, seconded by Councilmember Roberts, that the agenda be approved with the following changes:

**MOTIONS AND RESOLUTIONS**

Revise : Resolution to Approve Downtown Development Strategies Implementation Work Plans (Planning and Development Services - Jayne Miller, Community Services Administrator) **Postponed from the 7/3/06 Regular Session (Revised 7/11/06)**

Revise : Resolution to Sub-grant Duties Associated with the "Energy Star Homes" Grant to the Clean Energy Coalition (\$17,874.00 Federal Funds) **(8 Votes Required)** (Environmental Coordination Services - Sue McCormick, Public Services Area Administrator) **(Revised 7/17/06)**

Revise : Resolution to Allocate \$525,000.00 in HOME Funds to Avalon Housing Inc., or an Affiliated Ownership Entity for the Acquisition and Rehabilitation of 426. S. First and to Approve the Affordable Housing Covenant (\$525,000.00 HOME Funds) (Community Development Services - Jayne Miller, Area Administrator) **(Revised 7/10/06)**

**Added After Agenda Session Deadline:**

Add : Resolution Approving the Washtenaw County/City of Ann Arbor Community Corrections Comprehensive Application for Funding for the Period of October, 1, 2006 through September 30, 2007 in the Amount of \$1,112,228.00 for Comprehensive Plans and Services and \$606,813.00 in Residential Services (Councilmember Carlberg) **(Added 7/11/06)**

**Added After Newspaper Deadline:**

Add: Resolution for Ann Arbor 5,000 Solar Roofs Initiative (Councilmember Woods) **(Added 7/14/06)**

Add: Resolution for Plug-In Ann Arbor, Plug-In Hybrid Vehicle Campaign (Councilmember Woods) **(Added 7/14/06)**

Add : Resolution Endorsing the Formation of the Coalition for Action on Remediation of Dioxane (Card) and Concluding the City of Ann Arbor's Participation in the Gelman Groundwater Remediation Plan Intergovernmental Partnership (Councilmembers Woods, Teal and Mayor Hieftje) **(Added 7/14/06)**

Add : Resolution to Sub-grant Duties Associated with the "Clean Cities Challenge Grant" to the Clean Energy Coalition (\$24,500 State Funds) **(8 Votes Required)** (Energy Coordinator - Sue F. McCormick, Public Services Administrator) **(Added 7/17/06)**

Add : Resolution for Community Events Fund Disbursement from the 2006/2007 Budget (Councilmembers Higgins and Teall) **(Added 7/17/06)**

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

**APPROVAL OF COUNCIL MINUTES**MINUTES OF JULY 3, 2006 APPROVED

Councilmember Johnson moved, seconded by Councilmember Carlberg, that the regular session minutes of July 3, 2006

be approved as presented.

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

**CONSENT AGENDA**

CONSENT AGENDA ITEMS APPROVED

Councilmember Higgins moved, seconded by Councilmember Johnson, that the following Consent Agenda items be approved as presented:

**R-327-7-06 APPROVED**

**RESOLUTION TO APPROVE A CONSTRUCTION CONTRACT WITH D & H ASPHALT, CO. FOR MISCELLANEOUS BITUMINOUS PAVING PROJECTS IN FIVE PARK LOCATIONS - BID # 3798, IN THE AMOUNT OF \$124,574.30 AND ESTABLISH A CONSTRUCTION PROJECT BUDGET OF \$137,000.00**

Whereas, Continued upgrades and improvements of park system games courts was identified in the Park and Recreation Open Space Plan, 2000-2005;

Whereas, Competitive bids were sought by the Procurement Office with bids received on June 6, 2006 and D & H Asphalt Co. was identified as the lowest responsible bidder;

Whereas, Funding for this contract is available in the previously established tennis reconstruction project and bike facilities development project budget from the Park Rehabilitation and Development Millage; and

Whereas, D & H Asphalt Co. received Human Rights approval on June 21, 2006 and complies with the living wage and prevailing wage requirements;

RESOLVED, That City Council approve a construction contract, per bid #3798, with D & H Asphalt Co. in the amount of \$124,574.30 for Miscellaneous Bituminous Paving Projects in five park locations;

RESOLVED, That City Council approve a construction contingency in the amount of \$12,425.70 (9.9%) to cover potential contract change orders and a total project budget of \$137,000.00 for the life of the project without regard to fiscal year;

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to implement this resolution including the authority to approve change orders within the approved total project budget; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract after approval as to substance by the City Administrator and approval as to form by the City Attorney.

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**R-328-7-06 APPROVED**

**RESOLUTION REGARDING ENERGY EFFICIENCY REQUIREMENTS AND CERTIFICATION**

Whereas, On February 21, 2006, City Council requested that the City Planning Commission review the inclusion of energy conservation certification as a component of the City building and zoning ordinances; and

Whereas, An ad hoc committee, consisting of Planning Commission and Energy Commission representatives and City staff, was formed to review said request;

Whereas, Modifications to the zoning ordinance that resulted in a more stringent requirement than what was required in the state construction code was not allowed; and

Whereas, It was determined by the ad hoc committee that in order to exceed state standards, a variety of non-statutory approaches should be taken;

RESOLVED, That a recognition program be created to reward and recognize construction projects that exceed standard practice and that such a program be developed by a committee of representatives from Planning and Development Services, Environment Coordination Services and the Energy Commission;

RESOLVED, That once the recognition program is formed, the Energy Commission be directed to recommend completed developments for recognition and reward to City Council;

RESOLVED, That a representative or subcommittee of the Planning Commission work with Planning and Development Services staff, Environment Coordination Services staff and the Energy Commission to determine criteria for energy efficiency as a public benefit and incorporate that criteria into City ordinances for premiums, planned projects and planned unit developments; and

RESOLVED, That the City use the criteria incorporated into City ordinances to establish requirements for energy efficient construction when the City is making a financial investment in a project or providing other financial benefits.

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R-329-7-06 APPROVED

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH COGSDALE CORPORATION FOR UTILITY BILLING SYSTEM ANNUAL MAINTENANCE AND SERVICES FOR FY 06/07

Whereas, There is a need for on-going annual software maintenance for the Water Utilities Billing System and system enhancements;

Whereas, Cogsdale Corporation, the developer of this proprietary software, is the only vendor that can provide such Utility Billing System maintenance and enhancements; and

Whereas, Cogsdale Corporation received Contract Compliance and Living Wage approval on August 31, 2005;

RESOLVED, Council approve a Professional Services Agreement with Cogsdale Corporation in the amount not to exceed \$135,751.00 for software maintenance and consulting services for the following categories:

Subtotal Annual System Maintenance (not to exceed)	\$ 48,551.00
Great Plains operating system	
Cogsdale Customer Service Module (including Billing, Meter Reading, Collection, EFT, Service Orders)	
Best Practices Evaluation	\$ 13,800.00
Staff Training	\$ 33,400.00
Module Enhancements and Integrations	<u>\$ 40,000.00</u>
Total Contract Amount	\$135,751.00

RESOLVED, That the Mayor and City Clerk be hereby authorized and directed to execute said Professional Services Agreement after approval as to form by the City Attorney and approval as to substance by the City Administrator;

RESOLVED, That the City Administrator be authorized to take the necessary actions to implement this resolution; and

RESOLVED, The Professional Services Agreement with Cogsdale Corporation be funded from the approved FY2006/07 Water Supply System (Customer Service Unit) Operations and Maintenance budget, funding to be available for the life of the contract without regard to fiscal year.

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R-330-7-06 APPROVED

RESOLUTION AUTHORIZING REVISED SANITARY SEWER AND WATER IMPROVEMENT CHARGES FOR 2986 SHADY LANE

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-12-03-309-022 (2986 Shady Lane)  
8" Sanitary Sewer in Shady Lane: District No. 477; File No. 93049  
Constructed in 1999  
\$10,245.00/connection\*1 connection = \$10,245.00

12" Water Main in Packard Road: Non-District Job No. A-220W  
Constructed in 1964  
\$3.1559/Front foot x 72.5 = \$228.80

**GRAND TOTAL OF IMPROVEMENT CHARGES \$10,473.80;**

Whereas, The owner of 2986 Shady Lane paid connection charges and is being furnished sanitary sewer and water service;

Whereas, The owner of 2986 Shady Lane has fulfilled their obligation to connect to utilities following annexation and we request to levy the improvement charges in the amounts shown above; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED, That Council rescind R-233-06-06 dated June 5, 2006; and

RESOLVED,

- 1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

Annexation Address from Pittsfield Township: 2986 Shady Lane  
City Assessor Code: 09-12-03-309-022  
Annexation Number: A99-13

Lot 5, Walden Woods Subdivision, Washtenaw County, Michigan; previously Pittsfield Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

- 2. That the improvement charge levied is \$10,473.80;

- 3. That this improvement charge is divided into 9 equal installments; the first to be due on August 31, 2006, and the 8 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing August 31, 2006;

- 4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

- 5. That this levied improvement charge is to be invoiced to the owner, Amy Nowland, of the property known as 2986 Shady Lane, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$10,245.00 to Fund 0043-073-8000-7151 and \$228.80 to Fund 0042-073-8000-7151.

The question being the foregoing Consent Agenda items as presented, on a voice vote, the Mayor declared the motion carried.

**ORDINANCES - SECOND READING**

28-06 APPROVED

DOLPH PARK ZONING  
(NORTH SIDE OF LIBERTY ROAD,  
WEST OF LAKEVIEW AVENUE)

An Ordinance to Amend the Zoning Map Being a Part of  
Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 18.75 acres, Dolph Park Property, located at the north side of Liberty Road, west of Lakeview Avenue, from TWP (Township District) to PL (Public Land District). (The complete text of Ordinance 28-06 is on file in the City Clerk's Office.)

Councilmember Woods moved, seconded by Councilmember Teall, that the ordinance be adopted at second reading.

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

**ORDINANCES - FIRST READING**

36-06 APPROVED

TAX EXEMPTIONS FOR HOUSING PROJECTS

An Ordinance to Amend Section 1:651 of Chapter 19  
of Title I of the Code of the City of Ann Arbor

(The complete text of Ordinance 36-06 is on file in the City Clerk's Office.)

Councilmember Carlberg moved, seconded by Councilmember Greden, that the ordinance be approved at first reading.

Councilmember Greden moved, seconded by Councilmember Carlberg, to amend Section 1. B. of the ordinance as follows:

A municipal service charge shall not apply to or be payable by the owner for this class of housing projects **...IF THE OWNER PAYS TO THE CITY A MUNICIPAL SERVICE CHARGE OF ONE DOLLAR FOR EACH UNIT OF HOUSING IN THE PROJECT.**

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

The question being the ordinance as amended at first reading, on a voice vote, the Mayor declared the motion carried.

**MOTIONS AND RESOLUTIONS**

R-331-7-06 APPROVED

RESOLUTION TO APPROVE BARTON GREEN ANNEXATION

Whereas, The territory hereinafter described is located in the Township of Ann Arbor and is adjacent to the corporate limits of the City of Ann Arbor;

Whereas, MW Land, LLC, is the owner of said property; and

Whereas, It is the desire of MW Land, LLC, to annex said territory to the City of Ann Arbor, pursuant to the provisions of Act 279 of the Public Acts of the State of Michigan for the year 1909, as amended;

RESOLVED, That the following described lands and premises situated and being in the Township of Ann Arbor, Washtenaw County, Michigan, be detached from said Township of Ann Arbor and annexed to the City of Ann Arbor, to-wit:

Beginning at the W ¼ corner of Section 16, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence N 00 ° 24'44" E 267.00 feet along the West line of said Section 16; thence N 89 ° 42'29" W 340.00 feet parallel with the E-W ¼ line of Section 17, T2S, R6E, Ann Arbor Township, Washtenaw County, Michigan; thence S 00 ° 24'44" W 267.00 feet parallel to the West line of said Section 16; thence N 89 ° 42'29" W 75.20 feet along the E-W ¼ line of said Section 17; thence N 01 ° 01'18" E 25.02 feet along the Easterly right-of-way line of M-14 Hwy; thence continuing along said right-of-way line 717.32 feet in the arc of a circular curve to the right, radius 1660.08 feet, central angle 24 ° 45'27", and chord N 13 ° 24'01" E 711.76 feet; thence continuing along said ROW line N 25 ° 46'45" E 595.13 feet; thence S 00 ° 24'44" W 587.84 feet along the West line of said Section 16; thence N 87 ° 57'55" E 1846.70 feet along the South line of the N ½ of the S ½ of the NW ¼ of said Section 16; thence S 04 ° 47'06" W 454.25 feet along the centerline of Pontiac Trail (66.00 feet wide), as monumented; thence S 87 ° 50'56" W 290.74 feet; thence S 02 ° 09'04" E 212.25 feet; thence S 87 ° 50'56" W 1530.95 feet along the E-W ¼ line of said Section 16 to the POINT OF BEGINNING, being a part of Sections 16 and 17, T2S, R6E, Washtenaw County, Michigan, and containing 31.93 acres of land, more or less, subject to easements and restrictions of record, if any.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Resolution to Approve Barton Green Annexation, 31.93 Acres, West Side of Pontiac Trail, North of Skydale Drive.

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

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

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R-332-7-06 APPROVED

RESOLUTION TO APPROVE DOWNTOWN DEVELOPMENT STRATEGIES IMPLEMENTATION WORK PLANS

Whereas, On March 20, 2006, City Council adopted Resolution R-94-3-06 to approve the Implementation Plan for the Downtown Development Strategies Final Report;

Whereas, City Council directed staff to begin work on prioritized elements of the Implementation Plan;

Whereas, Staff has developed work plans for the four prioritized areas, plus clarifying the historic district criteria for development in the downtown; and

Whereas, The City and DDA are providing funding for these work efforts;

RESOLVED, That City Council approve the attached work plans dated July 17, 2006; and

RESOLVED, That City Council direct staff to provide a progress report on the status of the Implementation Plan no later than December, 2006.

Councilmember Johnson moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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



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POSTPONED

RESOLUTION TO APPROVE THE SELECTION OF VILLAGE GREEN COMPANIES AS PURCHASER AND REDEVELOPER OF THE CITY PROPERTY AT FIRST AND WASHINGTON STREETS PER THEIR PROPOSAL IN RESPONSE TO RFP #621 AND TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY ATTORNEY TO ACT AS NEGOTIATORS FOR THE CITY

Whereas, The City of Ann Arbor owns a parcel of land at the corner of 1<sup>st</sup> and Washington Streets subject to execution of a land exchange agreement with an adjacent property owner for a portion of the assembled corner parcel);

Whereas, The City of Ann Arbor issued RFP #621 for the sale and redevelopment of said property;

Whereas, The primary goals of the RFP were to:

- Increase downtown residential density and diversity
- Replace public parking spaces on this site
- Maximize the financial return to the City for the sale of the land
- Maximize TIF revenue to the Ann Arbor Downtown Development Authority (DDA) for the redevelopment of this site;

Whereas, Two of the three submitted projects were interviewed by the 1<sup>st</sup> & Washington RFP Selection Committee because of their alignment with the stated goals and scope of the RFP;

Whereas, The 1<sup>st</sup> & Washington RFP Selection Committee recommends that the City of Ann Arbor enter into an agreement with Village Green Companies for the purchase and redevelopment of the City property located at First and Washington Streets, per their proposal in response to RFP #621; and

Whereas, Staff recommends that the purchase and sale agreement include provisions that:

1. Ensure the long-term affordability of the 11 affordable housing units by including in the purchase and sales agreement a provision that the units must remain affordable for a minimum of 99 years.
2. Rededication of the portion of the alley adjacent to the property previously vacated by City Council;

RESOLVED, That City Council approve the selection of Village Green Companies as purchaser and redeveloper of the City property at First and Washington Streets, per their proposal in response to RFP #621, and subject to the following conditions:

1. The purchase and sales agreement with the developer must include a provision for a minimum of 99 years of affordability for the 11 proposed affordable housing units.
2. Prior to the closing of the purchase and sales agreement, 1) closing on the adjacent property land exchange; 2) rededication of the portion of the alley previously vacated by the City.

RESOLVED, That the City Administrator and City Attorney be authorized to act as negotiators for the City in finalization of the purchase and sale agreement and redevelopment agreement; and

RESOLVED, That the Negotiated Purchase and Sale Agreement be presented to City Council for approval no later than the second meeting in September 2006.

Councilmember Easthope moved, seconded by Councilmember Teall, that the resolution be adopted.

Councilmember Lowenstein recused herself from discussion and voting on this resolution.

Councilmember Carlberg moved, seconded by Councilmember Teall, to postpone the resolution until August 10, 2006.

Jonathon Holtzman, Village Green Companies, gave a presentation regarding Village Green Companies to Council. Mr. Holtzman spoke about the need for apartment units within the City.

The question being the motion to postpone the resolution until August 10, 2006, on a roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Teall, Easthope, Woods, Roberts, Mayor Hieftje, 6;

Nays, Councilmembers Johnson, Rapundalo, Greden, Higgins 4.

The Mayor declared the motion carried.

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R-333-7-06 APPROVED

RESOLUTION TO AWARD A CONTRACT FOR THE WATER TREATMENT PLANT CONCRETE AND MASONRY REPAIRS - PHASE 1 (\$1,037,655.00) AND MODIFY THE PROJECT BUDGET

Whereas, It is necessary to complete the Water Treatment Plant Concrete and Masonry Repairs - Phase 1 to address critical restoration needs identified in the 2005-6 Water Facilities Master Plan;

Whereas, Delaying restoration of the concrete and masonry repairs would result in more significant repair costs in future years;

Whereas, Of the six bids received, DC Byers Company provided the lowest responsible bid in the amount of \$1,037,655.00, and was selected as the most qualified firm to provide the services requested at the lowest price;

Whereas, DC Byers Company has received Human Rights approval on June 23, 2006, and complies with the living wage ordinance;

Whereas, A project budget of \$500,000.00 was approved during the FY07 Capital Budget process; and

Whereas, The project scope has increased and an additional \$972,701.00 is required to complete the project;

RESOLVED, That Council accepts the proposal and awards a contract to DC Byers Company in the amount of \$1,037,655.00 for the Water Treatment Plant Concrete and Masonry Repairs - Phase 1 Contract;

RESOLVED, That a contingency in the amount of \$104,000.00 be approved to finance change orders to the contract with DC Byers to be approved by the City Administrator;

RESOLVED, That the Mayor and City Clerk e authorized and directed to execute the contract for services after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That funds for this project are appropriated from the Water Supply System Operating Fund Balance to be repaid pending the sale of water revenue bonds;

RESOLVED, That the City make the following declaration for the purpose of complying with the reimbursement rules of Treas. Reg. 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, that the City reasonably expects to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds; and

RESOLVED, That the following budget be amended and that funds be available for the life of the project until expended without regard to fiscal year:

Section I - Revenue

Advance from Water Supply System Fund Balance pending the sale of Water Revenue Bonds	\$ 972,701.00
<u>Approved FY07 Capital Budget</u>	<u>\$ 500,000.00</u>
TOTAL	\$1,472,701.00

Section II - Expenses

Contract with DC Byers Company		\$ 1,037,655.00
Professional Services Agreement (PSA) with Stantec	\$	54,020.00
Proposed Amendment No.1 to PSA with Stantec	\$	71,026.00
Project Management and Inspection Services by City Staff	\$	80,000.00
Bond Issue Fee	\$	50,000.00
Testing Services	\$	40,000.00
Contingency to finance change orders and other increases to line item amounts	\$	<u>140,000.00</u>
TOTAL		\$1,472,701.00

Councilmember Roberts moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

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R-334-7-06 APPROVED

RESOLUTION TO SUB-GRANT DUTIES ASSOCIATED WITH THE "ENERGY STAR HOMES" GRANT TO THE CLEAN ENERGY COALITION

Whereas, The Ann Arbor City Council approved the acceptance of a \$50,000.00 Energy Star Homes grant on January 23, 2006 to provide federal funds for the City of Ann Arbor to promote the construction of Energy Star Certified Homes in the Ann Arbor area;

Whereas, The Clean Energy Coalition was named as a grant partner in the original grant application with the intention of moving the duties of Project Manager to the Clean Energy Coalition after they obtained their 501(c)3 non-profit status;

Whereas, The grant duties of the Project Manager are currently being performed by Sean Reed, who prepared the original grant application to the State;

Whereas, Sean Reed will be moving to the position of Executive Director of the Clean Energy Coalition starting August 1, 2006;

Whereas, The Michigan Energy Office has reviewed this proposed sub-grant and has approved the required grant amendment; and

Whereas, The City will continue fulfill the role of Grant Manager for this grant through the Energy Office, to accept and distribute grant funds and submit required reports;

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the sub-grant agreement for the Energy Star Homes Grant with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the State of Michigan grant amendment authorizing the budget changes necessary to sub-grant with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Woods moved, seconded by Councilmember Johnson, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried, thus satisfying the eight-vote requirement.

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R-335-7-06 APPROVED

RESOLUTION TO SUB-GRANT DUTIES ASSOCIATED WITH THE "CLEAN CITIES COORDINATOR SUPPORT GRANT" TO THE CLEAN ENERGY COALITION

Whereas, The Ann Arbor Area Clean Cities Coalition was designated as an official member of the US Department of Energy's Clean Cities Program in April, 1999 to bring alternative fuel vehicles into our community to reduce reliance on imported oil and to air pollution;

Whereas, The City of Ann Arbor has provided leadership and grant management services for the Coalition since its inception in 1999 through the Energy Office;

Whereas, The Ann Arbor City Council approved the acceptance of a \$25,000.00 "Coordinator Support" grant on November 10, 2005 that provides the City of Ann Arbor with funds to employ a Clean Cities Program Developer to assist the Energy Coordinator in managing the Clean Cities Program in Ann Arbor;

Whereas, The US Department of Energy recommends that all local Clean Cities Programs be housed in independent 501(c)3 non-profit organizations to become more self-sufficient and to be eligible for a wider range of grant funds;

Whereas, The Ann Arbor Area Clean Cities Program has been working towards the goal of moving to an independent 501(c)3 non-profit organization for the past two years;

Whereas, The Clean Energy Coalition is the direct result of those efforts and was created specifically to house the Ann Arbor Area Clean Cities Program;

Whereas, The sub-granting of the remainder of the grant duties to the Clean Energy Coalition, estimated at \$15,604.00, marks the beginning of the transition of the local Clean Cities Program to a non-profit organization that is independent of the City;

Whereas, The City will remain an active member of the Clean Cities Program;

Whereas, The City will continue fulfill the role of grant manager for this grant through the Energy Office, to accept and distribute grant funds and submit required reports grant management services for this grant;

Whereas, The City's Energy Office and the Ann Arbor Area Clean Cities Program recommend that City Council approve a sub-grant with the Clean Energy Coalition; and

Whereas, The Michigan Energy Office has reviewed this proposed sub-grant and has approved the required grant amendment;

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the sub-grant agreement for Clean Cities Coordinator Support with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the State of Michigan grant amendment authorizing the budget changes necessary to sub-grant with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Woods moved, seconded by Councilmember Johnson, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

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R-336-7-06 APPROVED

RESOLUTION TO APPROVE PFIZER GLOBAL RESEARCH AND DEVELOPMENT PUD SITE PLAN

Whereas, Pfizer Global Research and Development has requested site plan approval in order to construct a 43,247-square foot research support warehouse facility and a 518-square foot emergency generator at 1600 Huron Parkway;

Whereas, The Ann Arbor City Planning Commission, on June 20, 2006, recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Pfizer Global Research and Development PUD Site Plan.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Resolution to Approve Pfizer Global Research and Development PUD Site Plan, 144.13 Acres, 1600 Huron Parkway.

Councilmember Rapundalo moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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

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R-337-7-06 APPROVED

RESOLUTION TO ALLOCATE \$525,000.00 IN HOME FUNDS TO AVALON HOUSING INC., OR AN AFFILIATED OWNERSHIP ENTITY FOR THE ACQUISITION AND REHABILITATION OF 426. S. FIRST AND TO APPROVE THE AFFORDABLE HOUSING COVENANT

Whereas, An application was received in September, 2005 from Avalon Housing Inc., or an affiliated ownership entity, for financial assistance to acquire and rehabilitate 7 units of permanent supportive housing for homeless youth;

Whereas, Of the total estimated project cost of \$1,081,300.00, Avalon Housing Inc., or an affiliated ownership entity, will be leveraging funds from the Michigan State Housing Development Authority (MSHDA), the Federal Home Loan Bank, the City of Ann Arbor DDA and LISC; and

Whereas, This project will provide housing and supportive services to homeless individuals, which is a high need in the City's Consolidated Strategy and Plan;

RESOLVED, That City Council approve the allocation of \$ 525,000.00 of HOME Funds to Avalon Housing Inc., or an affiliated ownership entity, for the acquisition and rehabilitation of 7 units of affordable housing at 426 S First, contingent upon securing permanent financing for the entire development costs, as a 0% interest, deferred payment, 99-year loan to be repaid if the property is transferred or the use changes from low-income residential within the term of the loan and further, to be extended at the discretion of Council at the term end;

RESOLVED, That City Council approve a right of first purchase clause by the City and an equity-sharing clause giving Avalon 51% of the equity after paying off all liens, and giving the City 49% of the equity as a condition of the loan;

RESOLVED, That as a condition of loan disbursement, Avalon Housing Inc., or an affiliated ownership entity, will execute a mortgage and promissory note consistent with this Resolution, subject to approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the Mayor and City Clerk e hereby authorized and directed to sign an Affordable Housing Covenant consistent with this Resolution, subject to approval as to substance by the City Administrator and approval as to form by

the City Attorney with funds to be available until expended without regard to fiscal year; and

RESOLVED, That the City Administrator, or his designee, be authorized to take necessary administrative actions and to execute any documents necessary to complete this transaction and to implement this resolution.

Councilmember Easthope moved, seconded by Councilmember Greden, that the resolution be adopted.

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

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R-338-7-06 APPROVED

RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA COMMODITY CREDIT CORPORATION AND THE CITY OF ANN ARBOR FOR THE FARM AND RANCH LANDS PROTECTION PROGRAM

Whereas, The City of Ann Arbor and the United States have mutual interests in preventing the conversion of agricultural lands to non-agricultural uses;

Whereas, On May 1, 2006, City Council approved applications to the Federal Farm and Ranch Land Protection Program (FRPP) for the purchase of development rights for properties owned by John Alexander and Beverly Brenner (R-180-5-06) having identified the property as eligible based on prime, unique or other productive soil; and

Whereas, The City was notified by a letter dated June 12, 2006, that the United States Department of Agriculture Natural Resources Conservation Service, Farm and Ranch Lands Protection Program acting by and through the Commodity Credit Corporation, is awarding the City of Ann Arbor \$335,000.00 in match dollars to fund the purchase of development rights for the following FRPP parcel:

Owner	Cost Share	Location	Acres
Alexander, J.	\$335,000.00	Northfield Twp.	71;

Whereas, Under the terms of the Cooperative Agreement, NRCS will provide an additional \$2,000.00 toward the purchase of U.S. ALTA Title Insurance Policy for the United States;

Whereas, Under the terms of the Cooperative Agreement, the NRCS will provide technical services in the development of an appropriate conservation plan and funding and the City will acquire and monitor the conservation easement; and

Whereas, In evidence of the City of Ann Arbor's willingness to agree to combine its resources with the United States to purchase agricultural conservation easements from the landowners for the protection of the identified acreage from conversion to nonagricultural uses, the City is required to approve and execute a Cooperative Agreement for the FY 2006 FRPP by July 18, 2006 to obligate the funding;

RESOLVED, That City Council approve a Cooperative Agreement between the United States of America Commodity Credit Corporation and the City of Ann Arbor for the FY 2006 Farm and Ranch Lands Protection Program match funds for the acquisition of development rights by conservation easement of the property identified in this Resolution; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the Cooperative Agreement after approval as to substance by the City Administrator and as to form by the City Attorney.

Councilmember Johnson moved, seconded by Councilmember Teall, that the resolution be adopted.

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

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R-339-7-06 APPROVED

RESOLUTION TO APPROVE AMENDMENT NO. 1 TO SUBLEASE AGREEMENT WITH DETROIT EDISON COMPANY FOR THE CITY OF ANN ARBOR TELEVISION NETWORK OFFICE SPACE IN THE EDISON CENTER BUILDING FOR 14 MONTHS

Whereas, The City of Ann Arbor Community Television Network has subleased office space in the Edison Center Building at 425 S. Main St. since 1996;

Whereas, CTN's current sublease will expire on April 30, 2007;

Whereas, This amendment proposes that the City of Ann Arbor lease the LL114 suite office space (6,000 square feet) to house Community Television Network;

Whereas, The term of the sublease is for the period May 1, 2007 to June 30, 2008 (14 months) at the rate of \$6,317.66 per month;

Whereas, The City does not have the option of renewing the terms of this agreement beyond June 30, 2008;

Whereas, The amendment to the sublease between the parties is subject to any rights of Edison, as tenant of 425 South Main, Ann Arbor, MI under its lease with K.R.G. Investments; and

Whereas, Funds are available from the approved FY 2006/07 City Administrator Service Area, Communications Office Unit operating budget;

RESOLVED, That City Council approve the amended sublease agreement with Detroit Edison Company, effective May 1, 2007 and expires June 30, 2008; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the amended sublease agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Higgins moved, seconded by Councilmember Roberts, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

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R-340-7-06 APPROVED

RESOLUTION TO APPROVE A CARETAKER CONTRACT WITH DAVID RUSSELL FOR MAINTENANCE OF LESLIE SCIENCE CENTER PROPERTY

Whereas, Leslie Science Center requires an on-site caretaker to clean, maintain and provide security for the property;

Whereas, This contract provides for a continuation of having a caretaker on site, which has been in place since the early 1980's;

Whereas, The Parks and Recreation Services Unit has determined that David Russell has the skills and ability to perform the necessary duties of the caretaker; and

Whereas, The parties have negotiated an agreement for services that will meet the City of Ann Arbor's needs;

RESOLVED, That City Council approve the caretaker contract with David Russell for the maintenance of the Leslie Science Center property;

RESOLVED, That the Mayor and City Clerk be authorized to execute said caretaker contact after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take any necessary administrative action to implement this resolution, including authorization of changes to the duties of the caretaker during the term of the agreement necessary for the continued maintenance and security of the property.

Councilmember Johnson moved, seconded by Councilmember Roberts, that the resolution be adopted.

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

(Councilmember Greden absent at time of voting.)

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R-341-7-06 APPROVED

RESOLUTION APPROVING THE WASHTENAW COUNTY/CITY OF ANN ARBOR COMMUNITY CORRECTIONS COMPREHENSIVE APPLICATION FOR FUNDING FOR THE PERIOD OF OCTOBER, 1, 2006 THROUGH SEPTEMBER 30, 2007 IN THE AMOUNT OF \$1,112,228.00 FOR COMPREHENSIVE PLANS AND SERVICES AND \$606,813.00 IN RESIDENTIAL SERVICES

Whereas, On August 6, 1989, by resolution # 89-0219, the Washtenaw County Board of Commissioners established, in conjunction with the Ann Arbor City Council, a city / county Community Corrections Advisory Board pursuant to PA 511 of 1988;

Whereas, The Washtenaw County / City of Ann Arbor Community Corrections Advisory Board meets monthly on the second Tuesday of every month pursuant to By-Laws established for that Board;

Whereas, This application represents and demonstrates fifteen consecutive successful years of implementation based on the original Comprehensive Corrections Plan;

Whereas, At a regularly scheduled meeting held May 9, 2006 the application for FY 2006/07 funding has been reviewed and approved by the Washtenaw County / City of Ann Arbor Community Corrections Advisory Board;

Whereas, The Washtenaw County Board of Commissioners approved the application at their May 31, 2006 meeting and request the review and approval of the Ann Arbor City Council at the next regularly scheduled meeting; and

Whereas, The State of Michigan Office of Community Corrections will review this application at the State Board of Community Corrections regularly scheduled meeting held in August 2007 in Lansing, Michigan, with said funding contingent upon approval by the Ann Arbor City Council and the Washtenaw County Board of Commissioners;

RESOLVED, That the City Council approves the Washtenaw County / City of Ann Arbor Community Corrections Comprehensive Application for funding for October 1, 2006 to September 30, 2007.

Councilmember Carlberg moved, seconded by Councilmember Lowenstein, that the resolution be adopted.

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

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R-342-7-06 APPROVED

RESOLUTION FOR ANN ARBOR 5,000 SOLAR ROOFS INITIATIVE

Whereas, The over-reliance of America on foreign oil is a serious and growing threat to the economic vitality and national security interests of the United States;

Whereas, The continued burning of fossil fuels is endangering the planet with vast amounts of pollution;



Whereas, The threat of global climate change requires us to reduce our dependence on fossil fuels;

Whereas, The Mayor has issued his Green Energy Ann Arbor Challenge to provide 30 % of the municipal government's energy from renewable sources by 2010 and 20% of the community's energy from renewable sources by 2015;

Whereas, The technology exists today to heat the majority of our domestic hot water with energy from the sun; and

Whereas, Solar water heating represents the most efficient and cost effective way to utilize solar energy in Michigan;

RESOLVED, That the City of Ann Arbor officially launches the "Ann Arbor's 5000 Solar Roof Initiative", a community-wide campaign to promote the use of solar energy for heating domestic hot water;

RESOLVED, That the City Administrator be directed to develop a program to encourage the use of solar energy for heating domestic hot water with the goal of the installation of 5000 solar roofs by the year 2015;

RESOLVED, That the City of Ann Arbor make a commitment to support local, state and federal policies that will promote the use of solar energy for heating domestic hot water; and

RESOLVED, That the City of Ann Arbor will work with education, business and environmental communities to promote the use of solar energy for heating domestic hot water.

Councilmember Woods moved, seconded by Councilmember Lowenstein, that the resolution be adopted.

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

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R-343-7-06 APPROVED

RESOLUTION FOR PLUG-IN ANN ARBOR,  
PLUG-IN HYBRID VEHICLE CAMPAIGN

Whereas, The over-reliance of America on foreign oil is a serious and growing threat to the economic vitality and national security interest of the United States;

Whereas, Automobile emissions are a major contributing factor to global warming and to smog in our cities, which threaten the health of our citizens and the sustainability of our planet;

Whereas, The imbalance between gasoline resources and worldwide demand is escalating gasoline prices at an alarming rate and to levels that overburden commerce, hurt economic growth and cause serious hardship on our citizens;

Whereas, The technology exists today to build a flexible-fuel plug-in hybrid-electric automobile that could reduce oil imports, fuel costs to our citizens and our economy and air emissions by dramatic margins; and

Whereas, The City of Ann Arbor is partnering with the City of Austin, Texas and over 25 other US cities to urge automakers to mass-produce plug-in hybrid vehicles for the substantial economical, environmental and strategic reasons outlined;

RESOLVED, That the City of Ann Arbor be officially launching "Plug-In Ann Arbor", a community-wide campaign to promote the mass production of plug-in hybrid vehicles;

RESOLVED, That the City Administrator be directed to develop a program to encourage the future purchase of flexible-fuel plug-in hybrid vehicles for City fleet operations;

RESOLVED, That the City of Ann Arbor make a commitment to support local, state and federal policies that will promote flexible-fuel plug-in hybrid vehicles; and

RESOLVED, That the City of Ann Arbor will work with other local governments, education, business and environmental communities to advocate for the purchase of flexible-fuel plug-in hybrid vehicles.

Councilmember Woods moved, seconded by Councilmember Johnson, that the resolution be adopted.

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

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R-344-7-06 APPROVED

RESOLUTION ENDORSING THE FORMATION OF THE COALITION FOR ACTION ON REMEDIATION OF DIOXANE (CARD) AND CONCLUDING THE CITY OF ANN ARBOR'S PARTICIPATION IN THE GELMAN GROUNDWATER REMEDIATION PLAN INTERGOVERNMENTAL PARTNERSHIP

Whereas, The PALL/Gelman contamination site continues to demand attention and actions from the State, County and impacted local units of Government including the City of Ann Arbor, Scio Township, and Ann Arbor Township;

Whereas, Through cooperative efforts local governments and citizens have been instrumental in achieving much of the positive progress that has been made to date;

Whereas, The Intergovernmental Partnership Committee created in August 1997 served the residents of Washtenaw County well in coordinating policies and strategies across local units of government, but lacked sufficient mechanisms for citizen involvement and is no longer active;

Whereas, An organization is needed to replace the existing Gelman Groundwater Remediation Plan Intergovernmental Partnership to better meet the community needs;

Whereas, 1,4-dioxane released by PALL/Gelman persists and groundwater contamination has expanded in Washtenaw County to an area over three miles long and one mile wide and includes the City of Ann Arbor;

Whereas, The remediation of this site is likely to take an additional 20 years or more based on Pall Corp. and MDEQ estimates;

Whereas, Activities continue that require monitoring and response by governmental organizations in coordination with citizens, including but not limited to actions related to permits, well installations, remediation technologies, effluent discharge, contamination migration, pipe installation and maintenance;

Whereas, The court cases and recent court decisions impact multiple jurisdictions and thereby require a strong organization to coordinate actions regarding education, political, legal, technical and policy;

Whereas, Citizens, staff and elected officials from the State, County, City of Ann Arbor and impacted townships, including the Drain Commissioner, City of Ann Arbor Environmental Coordinator, County Commissioner, County staff, MDEQ staff, township supervisors, citizens representing various groups, met and agreed that a citizen and government coalition would be of substantial benefit;

Whereas, This organization is intended to include elected representatives, key staff, environmental organizations, neighborhood groups, all interested citizens, and MDEQ;

Whereas, The City of Ann Arbor Environmental Commission recognizes participation in this endeavor from other governmental agencies that are affected; and

Whereas, The City of Ann Arbor Environmental Commission passed a resolution on June 22, 2006 that recommended that The City of Ann Arbor participate in CARD;

RESOLVED, The City of Ann Arbor City Council encourages preparation of agendas with expected outcomes to ensure efficient participation from members and shall seek consensus among parties;

RESOLVED, The City of Ann Arbor City Council hereby endorses the creation of the Coalition for Action on Remediation of Dioxane (CARD);

RESOLVED, The City of Ann Arbor City Council encourages Ann Arbor citizen representation on all levels, groups, committees and subcommittees in this organization;

RESOLVED, The City of Ann Arbor City Council appoints Councilmember Woods as a representative to CARD;

RESOLVED, The City of Ann Arbor City Council directs the City Administrator to support this organization with appropriate staff and necessary resources; and

RESOLVED That the City of Ann Arbor concludes its participation in the Gelman Groundwater Remediation Plan Intergovernmental Partnership.

Councilmember Teall moved, seconded by Councilmember Woods, that the resolution be adopted.

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

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R-345-7-06 APPROVED

RESOLUTION TO SUB-GRANT DUTIES ASSOCIATED WITH THE "CLEAN CITIES CHALLENGE GRANT" TO THE CLEAN ENERGY COALITION

Whereas, The Ann Arbor Area Clean Cities Coalition was designated as an official member of the US Department of Energy's Clean Cities Program in April, 1999 to bring alternative fuel vehicles into our community to reduce reliance on imported oil and to air pollution;

Whereas, The City of Ann Arbor has provided leadership and grant management services for the Coalition since its inception in 1999 through the Energy Office;

Whereas, The Ann Arbor City Council approved the acceptance of a \$24,500.00 "Challenge" grant that will match all funds raised by the Ann Arbor Area Clean Cities Coalition for the Clean Cities Program up to \$24,500.00;

Whereas, The US Department of Energy recommends that all local Clean Cities Programs be housed in independent 501(c)3 non-profit organizations to become more self-sufficient and to be eligible for a wider range of grant funds;

Whereas, The Ann Arbor Area Clean Cities Coalition has been working towards the goal of moving to an independent 501(c)3 non-profit organization for the past two years;

Whereas, The Clean Energy Coalition is the direct result of those efforts and was created specifically to house the Ann Arbor Area Clean Cities Coalition;

Whereas, The sub-granting of these grant duties to the Clean Energy Coalition marks the beginning of the transition of the local Clean Cities Program to a non-profit organization that is independent of the City;

Whereas, The City will remain an active member of the Clean Cities Program;

Whereas, The City will continue fulfill the role of grant manager for this grant through the Energy Office, to accept and distribute grant funds and submit required reports grant management services for this grant;

Whereas, The City's Energy Office and the Ann Arbor Area Clean Cities Coalition recommend that City Council approve

a sub-grant with the Clean Energy Coalition; and

Whereas, The Michigan Energy Office has reviewed this proposed sub-grant and has approved the required grant amendment;

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the sub-grant agreement with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the State of Michigan grant amendment authorizing the budget changes necessary to sub-grant with the Clean Energy Coalition after approval as to substance by the City Administrator and approval as to form by the City Attorney.

Councilmember Easthope moved, seconded by Councilmember Lowenstein, that the resolution be adopted.

On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

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R-346-7-06 APPROVED

RESOLUTION FOR COMMUNITY EVENTS FUND DISBURSEMENT FROM THE 2006/2007 BUDGET

Whereas, The Ann Arbor City Council wishes to support activities that promote or bring the community together in its richness;

Whereas, The Ann Arbor Community Events Committee met and reviewed funding requests from community groups; and

Whereas, The Committee recommends the following allocations:

- 1) Main Street Area Association Rolling Sculpture Car Show, July 14, 2006 - up to \$585.00 to cover expenses related to city services;
- 2) Oz's Music, Chapman Stick Festival, July 15, 2006 - up to \$800.00 to cover expenses related to city services;
- 3) Main Street Area Association Octoberfest, September 15 & 16, 2006 - up to \$585.00 to cover expenses related to city services;
- 4) Ann Arbor Public Schools Hikone Student Exchange, November 2006 - \$5,000.00 to assist in covering the costs for students;

RESOLVED, That the Ann Arbor City Council approve the recommended allocations from the 2006/2007 Community Events Fund.

Councilmember Higgins moved, seconded by Councilmember Teall, that the resolution be adopted.

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

**REPORTS FROM COUNCIL COMMITTEES**

ALLEN CREEK GREENWAY TASKFORCE

Councilmember Carlberg announced that the taskforce has scheduled a public meeting on August 2, 2006, at the Courthouse Square to gain input from the public. It is the last public meeting of the taskforce and they plan to have recommendations to City Council by the required date in September.

**COUNCIL PROPOSED BUSINESS**

COUNCILMEMBER JOHNSON

Councilmember Johnson inquired about the Easy Street assessments. He stated he would like to have a conversation about this issue.

COUNCILMEMBER EASTHOPE

Councilmember Easthope announced that the City was awarded a hazardous material grant from the State. Councilmember Easthope stated he is working with Matt Naud on the program and will bring something before Council.

**COMMUNICATIONS FROM THE MAYOR**

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the July 3, 2006 regular session of Council:

Downtown Development Authority

Jennifer Hall (Replacing- Ron Dankert)  
1402 Culver Rd.  
Ann Arbor, MI 48103  
Term: 8/1/06- 7/31/10

Parks Advisory Commission

Brigit Macomber (Re-appointment)  
2036 Delafield Dr.  
Ann Arbor, MI 48105  
Term: 7/17/06- 7/17/09

Zoning Board of Appeals

Ron Eamus (Replacing-Peter Falkenstein)  
2503 Hampshire Rd.  
Ann Arbor, MI 48104  
Term: 7/17/06- 7/17/09

Carol Kunhke will now assume the position of Chairman for the Zoning Board of Appeals.

Councilmember Higgins moved, seconded by Councilmember Lowenstein, that Council concur with the recommendations of the Mayor.

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

NOMINATIONS PLACED ON TABLE

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

Ann Arbor Energy Commission

Erica Briggs (Replacing- Andrew Smith)  
719 W. Jefferson  
Ann Arbor, MI 48103

Term: August 7, 2006- August 7, 2009

Parks Advisory Commission

Linda Berauer (Re-Appointment)

421 Third St.

Ann Arbor, MI 48103

Term: August 7, 2006- August 7, 2009

The Mayor asked that the City Administrator work with the Energy staff and investigate what the annual savings would be if the City reduced the temperature of our buildings and facilities in the winter by 1, 2, or 3 and degrees and raise the temperature in the summer by 1,2,or 3 degrees.

**COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

None.

**COMMUNICATIONS FROM THE CITY ATTORNEY**

None.

**COMMUNICATIONS FROM COUNCIL**

COUNCILMEMBER HIGGINS

Councilmember Higgins thanked Homayoon Pirooz, City Engineer, and the rest of the Public Services staff, for the street resurfacing work done on Belmar and Keech Roads.

COUNCILMEMBER WOODS

Councilmember Woods thanked City Administrator Roger Fraser for finding a room for breastfeeding moms in the building.

**CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**

The following communications were referred as indicated:

1. Communication from State Representative Chris Kolb regarding Council's resolution supporting local economic development and the restoration of statutory revenue sharing monies R-107-3-06
2. Communication from S.E.M.C.O.G. regarding their Biweekly Publication June 19, 2006 Vol. 11, No. 13 AND July 3, 2006 Vol 11, No. 14
3. Communication from the Washtenaw County Treasurer regarding a list of parcels foreclosed in Circuit Court
4. Communication from the State of Michigan office of the Governor regarding receipt of the City's request for approval of the proposed amendment to the Ann Arbor City Charter
5. Communication from S.E.M.C.O.G. regarding the "Our Water. Our Future. Ours to Protect" campaign
6. Communication from Washtenaw Area Transportation Study regarding the July 2006 publication of The Vehicle, Vol. 3
7. Communication from the Department of Environmental Quality (DEQ) regarding public notice of a permit to

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construct a boardwalk across wetland in the Nichols Arboretum for the purpose of protecting the existing site from further degradation due to park users creating a series of unofficial trails - Planning and Development Services, Environmental Coordination

8. Communication from the State of Michigan Public Service Commission regarding notice of Hearing for the Customers of the Detroit Edison Company, Case No. U-14907 on July 27, 2006

The following minutes were received for file:

1. Ann Arbor Energy Commission - June 13, 2006
2. Ann Arbor Housing Commission - May 17, 2006
3. Ann Arbor Commission on Disability Issues - May 17, 2006
4. Ann Arbor Downtown Development Authority Board - May 3, 2006

Councilmember Lowenstein moved, seconded by Councilmember Higgins, that the Clerk's Report be accepted.

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

#### **PUBLIC COMMENTARY - GENERAL**

##### JIM MOGENSEN - TAX ABATEMENTS

Jim Mogensen, 3780 Greenbrier Blvd., #354C, addressed Council regarding tax abatements in the city. He said that community support is needed for infrastructure. He also expressed concern with the number of businesses getting tax abatements and added that there will not be enough money to support the infrastructure demands of these businesses.

#### **RECESS FOR CLOSED SESSION**

None.

#### **ADJOURNMENT**

There being no further business to come before Council, it was moved by Councilmember Easthope, seconded by Councilmember Lowenstein, that the meeting be adjourned.

On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:10 p.m.

Jacqueline Beaudry  
Clerk of the Council

Anissa R. King  
Recording Secretary