# City of Ann Arbor

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

## Meeting Minutes

**Tuesday, February 16, 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 7:04 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:** 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

## APPROVAL OF AGENDA

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

**Delete: DS-11 Resolution to Approve a Pre-Paid Parking Rate During Special Events/Busy Evening Parking**

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

## INT INTRODUCTIONS

**INT-1** **10-0148** Resolution to Approve a Pre-Paid Parking Rate During Special Events/Busy Evening Parking

*Susan Pollay, Executive Director of the Downtown Development Authority, shared information regarding the DDA and its parking system. The DDA has created a new $5.00 pre-pay parking rate. The rate is being created to allow pre-payment for special events and busy evening parking. The rate would allow patrons to pay when entering the structure, so that on their way out, the gate arm would automatically lift as they leave. It enables the DDA to address some operational issues at some of their facilities. In automated lots like the Library Lot and the lot at 415 W. Washington, patrons are aware that late at night it is possible to crash through the gate arm without stopping and paying. The new rate is also an attempt to try and alleviate some of the crowds that have caused fights and disturbances in parking structures after large events. This would help the Police Department greatly.*

**INT-2** **10-0176** Introduction of Planning & Development Unit Personnel - Roger Fraser

*City Administrator Roger Fraser introduced new personnel in the Planning and Development Services Unit. Wendy Rampson has agreed to take on the responsibilities of Land Use and Planning Manager in a permanent role, having been*

*filling in as the interim Planning and Development Manager. Ralph Welton will assume the responsibilities of Chief Development Officer/Plan Reviewer and Lisha Turner-Tolbert is the new Planning and Development Services Projects and Programs Manager.*

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

**1. Thomas Partridge - Giving priority to funding and building affordable housing in Ann Arbor and Washtenaw County**

*Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding giving priority to the funding and building of affordable housing in Ann Arbor and Washtenaw County.*

**2. Blaine Coleman - Boycott Israel**

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

**3. Sacha Platt - Housing Issues**

*Sacha Platt, Ann Arbor Resident, addressed Council regarding issues at Avalon Housing. He asked that Council consider suspending financial support to this organization.*

**4. Mozhgan Savabieasafahni - Boycott Israel**

*Mozhgan Savabieasafahni, P.O. Box 7038, serenaded Council regarding boycotting Israel.*

**5. Lily Au - Ann Arbor Housing - Housing First Initiative**

*Lily Au, 682 Peninsula Ct., addressed Council regarding the need for affordable housing in Ann Arbor. She gave a number of reasons why affordable housing is needed in the community.*

**6. Arnold Goetzke - E. Stadium Bridge**

*Arnold Goetzke, 1504 Westminster, addressed Council regarding the Stadium Bridge project. He said that an at-grade road with a stop light at State and an at-grade rail crossing would save over $10 million from the Road Fund. He asked that Council reconsider the current direction of the Stadium Bridges project.*

**7. Alan Haber - Library Lot**

*Alan Haber, 531 Third St., addressed Council regarding the Library Lot. He said that the local Democratic Party passed a resolution on the question of the use of the Library Lot. They asked that Council institute and support a real public process to support the development of a commons or town square in the center of the city.*

## 8. Aaron Miller - Update on Michigan Student Assembly Business

*Aaron Miller, 1312 Forest Ct., Michigan Student Assembly City Council Liaison, said that he met with Sue McCormick and Nancy Stone and they identified a couple of areas within the city where there is a need for more student input. There are a couple of committees and taskforces where the city could benefit greatly from having student participation.*

## COMMUNICATIONS FROM COUNCIL

*COUNCILMEMBER TEALL*

*Councilmember Teall asked if staff could respond to issues regarding the Stadium Bridges at-grade crossing.*

*Sue McCormick, Public Services Area Administrator, said that city staff have looked at an at-grade crossing and have had several conversations with the railroad regarding it. The railroad has said in writing that under no circumstances would they consider granting an at-grade crossing. She was not sure if the City could exercise eminent domain against the railroad.*

*Councilmember Teall advised that members are needed for the Taxicab Advisory Board and encouraged citizens to apply for that board.*

*COUNCILMEMBER SMITH*

*Councilmember Smith said that more communication is needed between the City and U of M students.*

*COUNCILMEMBER RAPUNDALO*

*Councilmember Rapundalo asked the City Administrator to put together a meeting of the Administration and Labor Committee to update the Council on contract negotiations.*

*MAYOR HIEFTJE*

*Mayor Hieftje asked that Ellen Schulmeister, Director of the Washtenaw County Shelter Association, update Council regarding resources provided at the Delonis Center.*

*Ms. Schulmeister said that Delonis Center added an additional 25 permanent residential beds. The shelter now has a total of 75 beds. They were also able to add an additional rotating shelter to the program this year, which now provides 50 beds in the rotation program. The rotating shelter has housed approximately 35 people a night. The warming center is still in operation; however, it is being run on the first floor in the dining room. There are approximately 30 people a night using the warming center. The shelter can now house up to 170 people a night if the need is warranted.*

*Ms. Schulmeister added that the family shelters were given vouchers to temporarily house people for one year, freeing up shelter space. The vouchers also included 12-month vouchers for some youth at Ozone House.*

*COUNCILMEMBER TAYLOR*

*Councilmember Taylor said that Google recently issued a Request For Information in connection with a project that it is undertaking to select a community to provide a competitive-cost fiber to the home internet service. He informed Council and members of the public that the City is in the process of working hard with partners in the business community through SPARK, other community members and the University of Michigan, in an effort to put together an application to be a municipal partner in the project.*

*COUNCILMEMBER ANGLIN*

*Councilmember Anglin said that the lot near the library is not the library lot and is not owned by the library. It is owned by the citizens of Ann Arbor. He reminded the community that the hotel occupancy rate is low and has been for a long time, running at a rate of 45-50% occupancy in the Ann Arbor area. It is hard for businesses to perform at that rate. He added that the proposal for a new hotel would only drain the resources of other hotels in the out-lying areas. It's important to look at these issues and realize where to place resources and time. He encouraged everyone to continue to pay attention to this issue and learn as much as they could about what is going on and for citizens to advise Council as to what they would like to do with the land.*

## COMMUNICATIONS FROM THE CITY ADMINISTRATOR

*BUDGET COMMITTEE*

*City Administrator Roger Fraser announced that the Budget Committee met with staff and reviewed a data catalog. The catalog is a public document that provides various pieces of information relating to finance, geographic materials, etc. The catalog is now available online. The URL to the information is www.a2gov.org/data. A link to the web page will be posted on the City's homepage sometime this week.*

*CENTRAL CAMPUS TRANSIT CENTER*

*Mr. Fraser said that the City has been working with AATA, the DDA and the University on the Central Campus Transit Center located on the corner of N. University, just west of Church Street. The proposal has been delayed because of improvement costs. Most of those are street improvements on North University. Those kinds of expenditures have not been included in the plan in the near term. The University has been advised of this and they have been advised in the past that if they wanted to put forward the money for those expenses, which includes the waterline replacement under North University, they could. Staff at the University is recommending to the Board of Regents that they proceed with the transit center and that approximately $450,000.00 in costs that would otherwise be paid by the City be paid by the University with no expectation of payback. Mr. Fraser thanked the University for making that recommendation to the Board of Regents.*

*STADIUM BRIDGES*

*Mr. Fraser said that last Fall, an application for a TIGER discretionary grant was made for the reconstruction of two bridges on East Stadium. The estimated total project cost is approximately $23 million and the City applied for $21 million in grant dollars. The Federal Government will announce on February 17, 2010 the TIGER grant awards.*

*MAIN BREAK ON STADIUM BLVD*

*Mr. Fraser informed Council that a water main break occurred on Stadium Boulevard across from Chrisler Arena last week and caused the closure of Stadium Boulevard. The break was a service line of a fire hydrant. Staff was able to isolate it, shut it off and make the repairs during non-rush hour times and without compromising traffic.*

*SNOW FALL*

*Mr. Fraser said that staff have received a lot of compliments about the crews' response to the last storm. Mr. Fraser stated that staff did a nice job and he thanked them for their hard work.*

*STATE LEGISLATION PROPERTY ASSESSED CLEAN ENERGY (PACE)*

*Mr. Fraser said that the Property Assessed Clean Energy Act has been voted out of the State House Great Lakes and Environmental Committee to the House floor. This Act would provide the statutory authorization for creating energy programs in our community. It would create special districts where neighborhoods would invest in energy. This would allow them to set up a way to pay back investments over time through tax bills. It's still on the House floor and the fact that it has not been taken off is good news.*

## PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

**PH-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)

*A public hearing was conducted on the proposed amendment to 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. Notice of public hearing was published February 11, 2010.*

*Thomas Partridge, 4220 Eyrie Dr., requested that Council inform the public immediately of the purpose of the ordinance, how it would better serve the public and how it would provide access to senior citizens.*

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

**PH-2** 10-0045

An Ordinance to Amend Chapter 61, Signs and Outdoor Advertising, to Allow Portable Exterior Business Signs (Ordinance No. ORD-10-06)

*A public hearing was conducted on the proposed amendment to Chapter 61, Signs and Outdoor Advertising, to allow portable exterior business signs. Notice of public hearing was published February 11, 2010.*

*Kathy Griswold, Ann Arbor resident, expressed concern with the deletion of language regarding the sign distance on corners and expressed concern with enforcement of the code.*

*Susan Pollay, representing the subcommittee of the Ann Arbor DDA's Transportation Committee, read a statement from the committee that recommended adopting the taskforce's recommendations of regulation of sandwich board signs without permits on a trial basis.*

*Carolyn Grawi, from Ann Arbor Center for Independent Living, and a resident of Ann*

*Arbor, said that sandwich board signs are a problem for people who have disabilities. She expressed concern with any ordinance that would place more obstacles on sidewalks.*

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

**PH-3** 10-0118

## Resolution to Amend FY 2010 Fee Schedule for the Community Services Area to Add a Fee for Portable Exterior Business Signs

*A public hearing was conducted on the proposed amendment to Chapter 61, Signs and Outdoor Advertising, to allow portable exterior business signs. Notice of public hearing was published February 11, 2010.*

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

**PH-4** 10-0068

## Resolution to Modify Athletic Field Rental Fees at Fuller and Olson Parks Effective for 2010 Season

*A public hearing was conducted on the proposed Resolution to Modify Athletic Field Rental Fees at Fuller and Olson Parks Effective for 2010 Season. Notice of public hearing was published February 11, 2010.*

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

**PH-5** 10-0065

## Public Hearing on Housing and Human Services Needs for the 2010-11 Washtenaw Urban County Annual Action Plan

*A public hearing was conducted on the Housing and Human Services Needs for the 2010-11 Washtenaw Urban County Annual Action Plan. Notice of public hearing was published February 11, 2010.*

*Carolyn Grawi, Center for Independent Living, said that as the City continues to make plans to move forward and use the CDBG dollars, they should do more regarding housing and human rights activities in the community. She added that 1/5 of the population in this city (approximately 20,000 people) are people who have disabilities of various natures. She asked that the City continue to maintain and improve what already exists in the city.*

*Daniel Mack, Board of Directors member of the Michigan Itinerant Shelter System-Interdependent Out of Necessity (MISSION) pointed out that the old YMCA was torn down and a parking lot put in its place. Council should address the need for more affordable housing for low-income families and replace the YMCA and include more affordable housing for low-income families.*

*Ruth Blackburn, 924 Northwood Street, representing Food Gatherers, said that Food Gatherers provides surplus and low-cost purchased food to more than 150 community agencies throughout the county, half of which are in Ann Arbor. 88% of the food distributed by these agencies comes from Food Gatherers. People who have never in their lives needed food assistance are now seeking that assistance. She said to keep in mind the rising rate of food and security in our town when planning and funding human service needs.*

*Beth Adams, Director of Ann Arbor Meals on Wheels, said that Meals on Wheels provide meals six days a week, Monday through Saturday, to homebound Ann Arbor residents who cannot cook for themselves. 97% of their clients report that the meals they receive are their most important source of nutritious foods.*

*Ellen Schulmeister, Washtenaw County, thanked Council for helping with housing, homelessness and food service in the community. Housing that is affordable at all levels of the community is crucial to ending homelessness. She asked that the City continue to prioritize and plan for permanent supported housing. The 60 "Y-Units" that were lost in the past are still needed in the community. She asked that this be made a priority in the 2010 planning. Temporary housing will still be needed for people to access quickly when they become homeless.*

*Carolyn Hastings, Executive Director of the Housing Bureau for Seniors of the University of Michigan Health System, said that cutting support to agencies connected to the University of Michigan Health System might seem to be an obvious way to save money, however, outside funds are still needed to meet their match to the health system. The funding they receive from the City and the County is very critical.*

*Kimberly Cummings, Executive Director of the Women's Center of South Eastern Michigan, said that they offer a safety net of critical services for people who are experiencing emotional and financial crises. They provide low cost mental health counseling, divorce support services, financial education, legal consultations and job coaching to approximately 600 people each year. An additional 3000 community members call for referrals to other essential services such as housing, food, medical care, etc. The calls for help are more plentiful; waitlists are growing; and struggling clients require more frequent and intensive services.*

*Brad Mikas thanked Council and the City for supporting affordable housing. He said that there was an item on the Planning Commission's agenda that deals with affordable housing. A developer has approximately $200,000.00 that should have gone to affordable housing, but through various factors and reasons, the City has postponed the payments. The proposed PUD he believed is being postponed for an additional two years. The project started in 2006. The City should have received $300,000.00 in affordable housing funds, but because it was delayed, the final payment would not be due until 2012.*

*Michael Apple, Executive Director of Avalon Housing, thanked the City for support over the years. Avalon currently owns and manages 324 units throughout Washtenaw County, 282 of which are in the City of Ann Arbor. Their wait list has been opened in 2009 for the first time in 5 years. It was opened for two weeks, and they received 505 applications. There are typically 25-30 vacancies each year.*

*Jim Mogensen, 3780 Green Brier, said that Housing and Human Service funding is only 1.7% of the General Fund budget. Human services have been out-sourced and the nonprofits are now responsible for the social safety net, in many cases at the City level and this is happening throughout the country. The budget is not linear and the problems that the City is facing are correlated with everything else; all the various funders and foundations are having the same problems. It's not just that they need to absorb the amount that the City needs to come up with, but they are also absorbing the amount of money that is not available from other funding sources. He added that this would impact the social safety net and would come back into the regular budget, in police services, jails and other ways that the City would have to fund.*

*Thomas Partridge, 4220 Eyrie Dr., supported what previous speakers said on subjects pertaining to housing and human services needs planning.*

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

## COMMUNICATIONS FROM COUNCIL

## A APPROVAL OF COUNCIL MINUTES

**A-1** 10-0115 City Council Minutes of January 25 and February 1, 2010

**A motion was made by Councilmember Hohnke, seconded by Councilmember Briere, that the Minutes be approved as presented. On a voice vote, the Mayor declared the motion carried.**

## CA CONSENT AGENDA

*With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:*

*CA-3 Resolution to Accept Board of Insurance Administration Meeting Minutes of January 28, 2010*

*CA-4 Resolution to Approve Second Amendment to Professional Services Agreement with Katherine Talcott as Public Art Commission Administrator ($21,800.00)*

**Passed on consent agenda**

**A motion was made by Councilmember Anglin, seconded by Councilmember Teall, that the Consent Agenda Item be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**CA-1** 10-0061 Resolution to Approve Agreement Regarding Joint Recreation Programs between the City and Ann Arbor Public Schools

*Deleted from agenda.*

**CA-2** 10-0070 Resolution to Accept Board of Insurance Administration Meeting Minutes of December 17, 2009

Enactment No: R-10-031

**CA-3** 10-0095 Resolution to Accept Board of Insurance Administration Meeting Minutes of January 28, 2010

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

Enactment No: R-10-032

**CA-4** 10-0072 Resolution to Approve Second Amendment to Professional Services Agreement with Katherine Talcott as Public Art Commission Administrator ($21,800.00)

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

**Yeas:** 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Teall, Councilmember Anglin, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 3 - Councilmember Kunselman, Councilmember Higgins and Councilmember Briere

Enactment No: R-10-033

**RECESS**

*Mayor Hieftje declared a recess at 9:07 p.m. and reconvened the meeting at 9:22 p.m.*

**B ORDINANCES - SECOND READING**

**B-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)

*(The complete text of Ordinance ORD-10-05 is on file in the City Clerk's Office.)*

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

**B-2** 10-0045

An Ordinance to Amend Chapter 61, Signs and Outdoor Advertising, to Allow Portable Exterior Business Signs (Ordinance No. ORD-10-06)

*Council recommended that these issues be sent back to the Sandwich Sign Board Committee and the Commission on Disability Issues for further review.*

*(The complete text of Ordinance ORD-10-06 is on file in the City Clerk's Office.)*

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

**DS-10** 10-0145

Resolution to Authorize Summary Publication of Ordinance No. ORD-10-06 to Amend Sections 5:501, 5:502, and 5:508 of Chapter 61 (Signs and Outdoor Advertising) of Title V of The Code of the City of Ann Arbor.

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

**C ORDINANCES - FIRST READING**

**C-1** 10-0117

An Ordinance to Add a New Section 10:101a to Chapter 126 (Traffic - Restricting Cell Phone Use While Driving) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-07)

*A motion was made by Councilmember Kunselman, seconded by Councilmember Taylor, to suspend Council rules relating to Council speaking time. On a voice vote, the Mayor declared the motion carried.*

*(The complete text of Ordinance ORD-10-07 is on file in the City Clerk's Office.)*

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

*(Councilmember Higgins left at 9:50 p.m.)*

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

**Absent:** 1 - Councilmember Marcia Higgins

**C-2** 10-0149

An Ordinance to Repeal Sections 10:161 and 10:163 and to Amend Section 10:162, Chapter 127, Title X (Bicycle Registration) of the Code of the City of Ann Arbor (Ordinance No. ORD-10-08)

*(The complete text of Ordinance ORD-10-08 is on file in the City Clerk's Office.)*

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

## D MOTIONS AND RESOLUTIONS

### Old Business - Council:

**DC-1** 10-0023

Resolution to Approve the Transfer of Ownership and Location of a 2009 Resort Class C Liquor Licensed Business with Dance Entertainment Permit at 640 Packard, from Green Valley Golf Club, Inc. to BW&R GoBlue LLC - D/B/A Packard Pub

**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 with one no-vote made by Councilmember Taylor.**

Enactment No: R-10-034

### DC New Business - Council:

**DC-2** 10-0158

Resolution to Appointment Members to the Georgetown Mall Citizens Committee

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

Enactment No: R-10-035

**DC-3** 10-0166 Resolution Directing the City Administrator on the Budget

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

Enactment No: R-10-052

**A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Resolution be postponed until 3/1/2010. On a voice vote, the Mayor declared the motion carried.**

**DC-4** 10-0170 Resolution for Community Events Fund Disbursements from the FY 2010 Budget

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

Enactment No: R-10-036

**DB New Business - Boards and Commissions:**

**DS Old Business - Staff:**

**DS-1** 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 Smith, seconded by Councilmember Briere, that the Resolution be approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried:**

**Yeas:** 9 - Mayor Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 1 - Councilmember Rapundalo

**Absent:** 1 - Councilmember Higgins

Enactment No: R-10-037

**DS-2** 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 Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-10-038

**DS New Business - Staff:**

**DS-3** 10-0058

Resolution to Approve Riverside Park Parking Lot Land Lease with the University of Michigan **(8 Votes Required)**

**A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be approved.**

Enactment No: R-10-039

**A motion was made by Councilmember Kunselman, seconded by Councilmember Rapundalo, that the resolution be postponed.**

**The motion to postpone was withdrawn.**

Enactment No: R-10-039

**The question being the motion made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-10-039

**DS-4** 10-0063

Resolution to Amend Existing Three-Year Contracts with Approved Vendors for Parks and Recreation Services Capital Projects (Combined NTE $400,000.00)

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

Enactment No: R-10-040

**DS-5** 10-0066

Resolution to Approve Amendment to Operational Agreement between City of Ann Arbor and Washtenaw County for Office of Community Development

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

Enactment No: R-10-041

**DS-6** 10-0068

Resolution to Modify Athletic Field Rental Fees at Fuller and Olson Parks Effective for 2010 Season

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

Enactment No: R-10-042

**DS-7** 10-0099

Resolution to Approve a Cooperative Agreement between the City of Ann Arbor and the University of Michigan for the Provision of Fire Services

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

Enactment No: R-10-043

**DS-8** 10-0069 Resolution to Approve Deficit Elimination Plan as of June 30, 2009 **(8 Votes Required)**

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

Enactment No: R-10-044

**DS-9** 10-0118 Resolution to Amend FY 2010 Fee Schedule for the Community Services Area to Add a Fee for Portable Exterior Business Signs

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

**DS-11** **10-0148** Resolution to Approve a Pre-Paid Parking Rate During Special Events/Busy Evening Parking

*Deleted from agenda.*

## E COMMUNICATIONS FROM THE MAYOR

**E-1** 10-0100 Appointments - Confirmation

*Mayor Hieftje recommended the following appointments at the February 1, 2010 regular session of Council:*

*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*

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

**E-2** 10-0167

## Appointments & Nominations

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

*Board of Review*

*Robert White (Re-Appointment)*
*1849 Saxon Rd.*
*Ann Arbor, MI 48103*
*Term: March 1, 2010-March 1, 2013*

*William Brogan (Replacing-Ted Williams)*
*950 Northwood St.*
*Ann Arbor, MI 48103*
*Term: March 1, 2010-March 1, 2013*

*Cable Commission*

*Tammie Williams (Replacing- Jeff Meyers)*
*3310 Creek*
*Ann Arbor, MI 48108*
*Term: March 1, 2010-March 1, 2015*

*Employees Retirement System Board of Trustees*

*David Hescheles (Re-Appointment)*
*1727 Newport Creek Dr.*
*Ann Arbor, MI 48103*
*Term: March 1, 2010 - March 1, 2013*

**E-3 One-Step Appointment Approval**

*Employees Retirement System Board of Trustees*

*David Hescheles (Re-Appointment)*
*1727 Newport Creek Dr.*
*Ann Arbor, MI 48103*
*Term: February 16, 2010 - March 1, 2013*

**A motion was made by Councilmember Smith, seconded by Councilmember Taylor, that the appointment to the Employees Retirement System Board of Trustees be approved in a one-step process. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**

**E-4 Appointment - Nomination**

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

*Housing and Human Services Advisory Board*

*Ingrid Ault*
*Think Local First*
*P.O. Box 7961*
*Ann Arbor, MI 48107*

**COMMUNICATIONS FROM COUNCIL**

*None.*

**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

**F-1** 09-1265 Annual Survey of Traffic Calming Projects Constructed in 2007 and 2008

**F-2** 10-0042 Fourth Quarter 2009 Investment Portfolio Report

**F-3** 10-0064 Public Hearing on Housing and Human Services Needs for the 2010-2011 Washtenaw Urban County Annual Action Plan

**G COMMUNICATIONS FROM THE CITY ATTORNEY**

*None.*

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

**H The following communications were referred as indicated:**

**Passed on consent agenda**

**A motion was made by Councilmember Teall, seconded by Councilmember Anglin, that the Clerk's Report be approved as presented. On a voice vote, the Mayor declared the motion carried.**

**H-1** 10-0078 Communication from the Department of Natural Resources and Environment regarding File No. 09-81-0051-P

**H-2** 10-0098 Communications from Comcast regarding New Triple Play Bundles and an update to their on-screen Cable Guide for Digital Cable customers in Ann Arbor - CTN

**H-3** 10-0112 Communication from Republic Services, Inc. regarding its waste and environmental services - Public Services

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

**I-1** 10-0074 Ann Arbor Housing Commission Board Meeting Minutes - December 16, 2009, January 6, 2010

I-2 10-0075 Park Advisory Commission Minutes - December 15, 2009

I-3 10-0107 Dean Fund Committee Meeting Minutes of December 8, 2009

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

**1. Jim Mogensen - New Transit Center**

*Jim Mogensen, 3780 Green Brier, addressed Council regarding the new transit center. He said that urban services will probably have to be reallocated and some AATA service will end up at the transit center. The bus he uses travels to the Michigan League and not the Blake Transit anymore. He added that we need to step back, look at this and try and make it more constructive and not so abusive.*

**2. Kathy Griswold - Crosswalk near King Elementary School**

*Kathy Griswold, Ann Arbor resident, asked Council to schedule a meeting to discuss the King School crosswalk. She stated this issue clearly highlights some of the problems in City Administration and many opportunities for improvement.*

**3. John Floyd - Integrity of Public Process**

*John Floyd, 519 Sunset Road, thanked Council for their passion and integrity of public process regarding removing funding for the airport from the Capital Improvement Program. He asked if Councilmembers Derezinski or Rapundalo could use some of their passion for public process to discuss what impact meeting for one year with one particular vendor might have on the integrity of the RFP process.*

**CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LAND ACQUISITIONS, 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 Taylor, seconded by Councilmember Rapundalo, that the regular session of Council be recessed for a closed session to discuss pending litigation. On roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting recessed at 10:36 p.m.:**

**Yeas:** 10 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

**Nays:** 0

**Absent:** 1 - Councilmember Higgins

**MEETING RECONVENED**

**A motion was made by Councilmember Taylor, seconded by Councilmember**

**Briere, that the regular session of Council be reconvened. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:43 p.m.**

10-0178 Resolution to Direct City Attorney to Resolve Washtenaw County Circuit Case No. 08-518-CD

**A motion was made by Councilmember Derezinski, seconded by Councilmember Taylor, in Ouellette v. City of Ann Arbor, Washtenaw County Circuit Court Case No.: 08-518-CD, that the Council directs the City Attorney to resolve this matter within the parameters recommended by the City Attorney in closed session. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-10-045

**ADJOURNMENT**

**A motion was made by Councilmember Anglin, seconded by Councilmember Hohnke, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:44 p.m.**

10-0193 City Council Emails - February 16, 2010

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

**LIVE: TUESDAY, FEBRUARY 16, 2010 AT 7:00 P.M.**
**REPLAYS: WEDNESDAY, FEBRUARY 17, 2010 AT 10:30 A.M. AND FRIDAY, FEBRUARY 19, 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.**

**Jacqueline Beaudry**
**Clerk of the Council**

**Anissa R. Bowden**
**Recording Secretary**