

City of Ann Arbor

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



Action Minutes

Monday, July 19, 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 7:11 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 Higgins, seconded by Councilmember Teall, that the Agenda be approved with the following changes:

Move: DB-1 Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Consider after DB-2)

Move: DC-1 Resolution In Support of the Zingerman's Delicatessen Expansion Site Plan Notice to Proceed (Consider after DB-1)

Move: DC-4 Resolution to Approve the Terms of the Reopener for the Final Year of the July 1, 2008 to June 30, 2011 Collective Bargaining Agreement for Police Professional Assistants Unit, Teamsters Local 214 (Consider after Consent Agenda Items)

Move: DC-5 Resolution to Approve the July 1, 2009 to June 30, 2012 Collective Bargaining Agreement between the City of Ann Arbor and the Civilian Supervisors Unit, Teamsters Local 214 (Consider after DC-4)

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

INT INTRODUCTIONS

None.

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 - Affordable housing and support services public transit, health care and education (DS-9)

Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding Washtenaw County's promise to address significant issues facing the City, County and the region regarding affordable housing, support services to public transit, health care and education.

2. Joan Doughty - Bryant Neighborhood flooding problem

Joan Doughty, 2401 Meadowridge Ct., representing Community Action Network and the Bryant neighborhood residents, addressed Council regarding flooding problems in the area. She requested that the City Council appoint a Bryant Community Flood Remediation Taskforce that would include city and county governmental representatives and flood and water management experts to identify a comprehensive remediation plan and funding to represent and implement the recommended resolution.

3. Alan Haber - Library Lot Commons

Alan Haber, 531 Third St., said that the Library Lot Committee has reviewed all proposals regarding the Library Lot and have nothing to recommend. He stated the committee is four months or more delinquent in submitting its report. He asked that Council call upon the committee to deliver its report on the RFPs, conclude its function, and allow the matter to return to the City Council agenda and public consideration.

4. Kathy Griswold - King School Crosswalk

Kathy Griswold, 3565 Foxhunt Dr., addressed Council regarding the process of the Transportation Safety Committee. She said that the committee approved the removal of the crosswalk at King School and the project was stopped. She asked that Council direct the City Administrator to move the crosswalk and take action for student safety.

5. Joseph Miriani - Arizona immigration Law

Joseph Miriani, 2401 Pittsfield Blvd., expressed concern with Council's recent resolution regarding Arizona's Immigration Law.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER HIGGINS**

Councilmember Higgins said that the Design Guidelines Committee has been meeting every week, are still on schedule and may be early in bringing the design guidelines back to Council.

COUNCILMEMBER DEREZINSKI

Councilmember Derezinski said that the Washtenaw area corridor is one of the most traveled corridors in the city and other communities abutting each other. The Washtenaw Corridor Study has been studying this issue and they met last Thursday. Merchants along Washtenaw Avenue were responsive to what was being done.

COUNCILMEMBER TAYLOR

Councilmember Taylor said that there is a proposal to de-light a certain number of street lights throughout the city. The de-lighting is because some of the areas of the city exceed the Illuminating Engineering Society of North America's recommended practice for roadway lighting standards. It was proposed and voted by staff that we investigate whether or not we could save money by de-lighting some of the street lights. The Brockman area is currently a pilot program area for de-lighting. The response has been that the residents did not care for the de-lighting. They are still in the process of gathering data; the pilot program is still on-going.

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo replied to a public speaker's comments regarding the Library Lot RFP process. He stated the committee has been trying to find a suitable consultant to assist the city and the DDA with the remaining proposals and the process regarding the Library Lot. It was reported a month ago that a sudden possible change in status on the consultant's part may have given pause to review whether or not to continue discussions with that consultant. Those concerns have been eliminated and there have been additional discussions with the proposed consultant. The agreement between the DDA and the consultant is expected to be complete this week at which time regular meetings regarding the project would be established.

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman shared a letter he received by a neighbor in Forestbrook regarding the Sidewalk Repair Program. The letter explained that their neighborhood sidewalks were inspected two years ago. The resident complained about the inconsistencies with enforcement of the program after some residents complied with the city's request to replace slabs and others did not. He asked that staff provide up-to-date information regarding the Sidewalk Repair Program and possibly publish the information in the Ann Arbor Observer.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*STATUS OF THE SIDEWALK REPAIR PROGRAM*

City Administrator Roger Fraser said that they would have feedback on the status of the Sidewalk Repair Program by the end of the week.

PARK ADVISORY COMMISSION (PAC) MEETING

Mr. Fraser said that the PAC is scheduled to meet on July 20, 2010 to discuss the Argo Dam Consent Agreement presentation between the City and MDNRE, including what they have to do in terms of vegetation management on the face of the dam. The RFP will be prepared by staff for the repair of the toe-drain. The Fuller Road Project Team will also provide PAC an update on the Fuller Road Project.

CONSTRUCTION UPDATE

Mr. Fraser updated Council regarding the construction on the Police/Court building and City Hall. The DDA streetscape contractor completed their work planting materials in the front of the Police/Court Building. Work still continues with mechanical, electrical, plumbing, drywall, ceiling, ceiling grade, painting and bathroom tile inside the new building. The HVAC system in the new building is now operable. This is necessary to condition the air for painting and other interior work that is temperature or moisture sensitive. Final prep for the floor in the main lobby began this week and the new fire pump for that building has been successfully tested.

There are a number of major changes in the basement of the Larcom Building. Mechanical and plumbing work is progressing well and the interior masonry walls in the basement are complete. Metal and drywall have begun and masonry work in the elevator tower has started.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 10-0550 An Ordinance to Amend Chapter 55, Rezoning of 10.0 Acres from TWP (Township District) to PL (Public Land District), Dicken Woods Nature Area, Southeast Corner S. Maple Road and Pauline Boulevard (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-21)

A public hearing was conducted on the proposed amendment to Chapter 55, Rezoning of 10.0 Acres from TWP (Township District) to PL (Public Land District), Dicken Woods Nature Area, located on the southeast corner S. Maple Road and Pauline Boulevard. Notice of public hearing was published July 1, 2010.

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

Held and Closed

PH-2 10-0609

An Ordinance to Amend Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-28)

Sponsors: Hohnke and Hieftje

A public hearing was conducted on the proposed amendment to Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published July 15, 2010.

The following people spoke in support of the proposed Sidewalk Ordinance:

*Kris Talley, 1731 Fair St.
Kathy Griswold, 3565 Fox Hunt Drive
Jim Mogensen, 3780 Green Brier*

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

Held and Closed

PH-3 10-0666

An Ordinance to Amend Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes (Ordinance No. ORD-10-26)

Sponsors: Taylor and Hieftje

A public hearing was conducted on the proposed amendment to Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes. Notice of public hearing was published July 15, 2010.

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

Held and Closed

PH-4 10-0681

An Ordinance to Amend Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants (Ordinance No. ORD-10-27)

A public hearing was conducted on the proposed amendment to Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants. Notice of public hearing was published July 15, 2010.

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

Held and Closed

PH-5 10-0508

Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, located at 422 Detroit Street. Notice of public hearing was published July 11 and July 15, 2010.

Grace Singleton, 3200 Dwight Street, partner of Zingerman's Delicatessen, explained the project to Council.

Christy Summers, 3465 Brentwood Court, representing Zingerman's design team, explained the landscape of the project to Council and was available to answer questions of Council.

Ken Klein, architect, explained the project to Council and was available to answer questions.

Jim Mogensen spoke in support of the proposed site plan.

Thomas Partridge, expressed concern with affordable housing and transportation surrounding the proposed site.

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

Held and Closed**PH-6 10-0658**

Resolution to Approve Deli Partners, L.L.C. - Zingerman's Delicatessen Redevelopment Project Brownfield Plan, Detroit and E. Kingsley Streets, Ann Arbor, MI (BRC Recommendation: Approval - 3 Yeas and 0 Nays)

A public hearing was conducted on the proposed Resolution to Approve Deli Partners, L.L.C. - Zingerman's Delicatessen Redevelopment Project Brownfield Plan, located on the corner of Detroit and E. Kingsley Streets, Ann Arbor, MI. Notice of public hearing was published July 15, 2010.

The following people gave background regarding the plan:

*A consultant on behalf of the Deli Partner's development team
Gary Bruder, representing owner
Grace Singleton, managing partner of Zingerman's Delicatessen*

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

Held and Closed**COMMUNICATIONS FROM COUNCIL****A APPROVAL OF COUNCIL MINUTES****A-1 10-0730**

July 6, 2010 Regular and Working Session

A motion was made by Councilmember Hohnke, seconded by Councilmember Briere, that the regular session minutes of July 6, 2010 be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA**Passed on consent agenda**

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

- CA-1 10-0643** Resolution to Authorize the Purchase of LED Light Fixtures from Madison Electric Company (\$99,370.50) ITB-4089
Enactment No: R-10-256
- CA-2 10-0649** Resolution to Approve Employment Agreement with Barry H. Eads for Process and Information Control Management Services at the Wastewater Treatment Plant (\$100,000.00)
Enactment No: R-10-257
- CA-3 10-0675** Resolution to Accept Board of Insurance Administration Meeting Minutes of June 29, 2010
Enactment No: R-10-258
- DC-4 10-0742** Resolution to Approve the Terms of the Reopener for the Final Year of the July 1, 2008 to June 30, 2011 Collective Bargaining Agreement for Police Professional Assistants Unit, Teamsters Local 214
Sponsors: Rapundalo
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-10-259
- DC-5 10-0743** Resolution to Approve the July 1, 2009 to June 30, 2012 Collective Bargaining Agreement between the City of Ann Arbor and the Civilian Supervisors Unit, Teamsters Local 214
Sponsors: Rapundalo
A motion was made by Councilmember Rapundalo, seconded by Councilmember Higgins, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-10-260

B ORDINANCES - SECOND READING

B-1 10-0550 An Ordinance to Amend Chapter 55, Rezoning of 10.0 Acres from TWP (Township District) to PL (Public Land District), Dicken Woods Nature Area, Southeast Corner S. Maple Road and Pauline Boulevard (CPC Recommendation: Approval - 8 Years and 0 Nays) (Ordinance No. ORD-10-21)

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

B-2 10-0609 An Ordinance to Amend Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-28)

Sponsors: Hohnke and Hieftje

A motion was made by Councilmember Hohnke, seconded by Councilmember Smith, that the Ordinance be adopted on Second Reading.

Enactment No: ORD-10-28

Councilmember Kunselman moved that the ordinance be amended as follows:

(a) When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, SLOWING DOWN OR STOPPING, to every pedestrian approaching or within a crosswalk.

Due to lack of support, the amendment was withdrawn.

Enactment No: ORD-10-28

The following amendment was considered friendly and added to the ordinance:

(a) ...shall STOP AND yield the right of way...

Note: All CAPS indicated new language.

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

Enactment No: ORD-10-28

RECESS

Mayor Hieftje declared a recess at 8:59 p.m. and reconvened the meeting at 9:12 p.m.

B-3 10-0666 An Ordinance to Amend Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes (Ordinance No. ORD-10-26)

Sponsors: Taylor and Hieftje

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

DS-11 10-0723 Resolution Authorization Summary Publication of Ordinance No. 10-26 Amending Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes

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-10-261

B-4 10-0681 An Ordinance to Amend Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants (Ordinance No. ORD-10-27)

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

DS-10 10-0722 Resolution Authorizing Summary Publication of Ordinance No. 10-27 Amending Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System) Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants

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-10-262

C ORDINANCES - FIRST READING

C-1 10-0708 An Ordinance to Amend Section 1:17 of Chapter 1 (Adoption, Contents and Interpretation) of Title 1 of the Code of the City of Ann Arbor and to Add a New Section 9:7 to Chapter 106 (Nuisances - Ban on Upholstered Furniture Outdoors) of Title IX of the Code of the City of Ann Arbor

Sponsors: Taylor

This item was deleted from the agenda and no action was taken.

Deleted from Agenda

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-2 10-0670** Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to East U Provisions, LLC (d/b/a Revive), 619 E. University
- Sponsors:** Council Liquor License Review Committee
- A motion was made by Councilmember Teall, seconded by Councilmember Anglin, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-263
- DC-3 10-0734** Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to LBV, LLC (@Burger), 505 E. Liberty St., Suite 100A & 100B
- Sponsors:** Council Liquor License Review 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-10-264
- DC-6 10-0744** Resolution to Support Michigan High-Speed and Intercity Passenger Rail Programs
- Sponsors:** Hieftje
- 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-10-265
- DC-7 10-0746** Resolution to Approve Temporary Outdoor Sales, Service and Consumption of Alcoholic Beverages during the 2010 Ann Arbor Art Fair for Old Town Tavern, 122 W. Liberty
- Sponsors:** Hohnke
- A motion was made by Councilmember Derezinski, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-266
- DB New Business - Boards and Commissions:**
- DB-2 10-0658** Resolution to Approve Deli Partners, L.L.C. - Zingerman's Delicatessen Redevelopment Project Brownfield Plan, Detroit and E. Kingsley Streets, Ann Arbor, MI (BRC Recommendation: Approval - 3 Yeas and 0 Nays)
- A motion was made by Councilmember Hohnke, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously.**
- Enactment No: R-10-267

- DB-1 10-0508** Resolution to Approve Zingerman's Deli Expansion Site Plan and Development Agreement, 422 Detroit Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
- A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously.**
- Enactment No: R-10-268
- DC-1 10-0740** Resolution In Support of the Zingerman's Delicatessen Expansion Site Plan Notice to Proceed
- Sponsors:** Taylor, Derezinski and Smith
- 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 unanimously.**
- Enactment No: R-10-269
- DB-3 10-0664** Resolution Approving Cooperative Agreement with and Purchase Agreement for the Honke Family LLC Property in Northfield Township and Appropriate Funds - \$718,267.00 (8 Votes Required)
- A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-10-270
- DS New Business - Staff:**
- DS-1 10-0648** Resolution Setting a Public Hearing on NanoBio Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2010-010
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-271
- DS-2 10-0631** Resolution to Approve Amendment No. 4 to the Professional Services Agreement with Stantec Consulting Michigan, Inc. (\$200,000.00) for Technical Engineering Services
- A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-10-272
- DS-3 10-0636** Resolution to Approve Contract with Clean Energy Coalition for Community Energy Program Coordinator (\$260,000.00) RFP-760
- A motion was made by Councilmember Taylor, seconded by Councilmember Anglin, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-10-273

- DS-4 10-0644** Resolution to Amend Grant Agreement with the US Department of Energy for Energy Efficiency and Conservation Block Grant (EECBG) Project (\$1,243,400.00 Federal Funds)

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

Enactment No: R-10-274

- DS-5 10-0645** Resolution to Approve a Change Order (\$82,520.50) and Appropriate Funds (\$110,273.00) for the Construction Contract with Douglas N. Higgins, Inc. for the Construction of the City Hall East Parking Lot (8 Votes Required)

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-10-275

- DS-6 10-0635** Resolution to Approve a Contract with Nagle Paving, Inc. to Renovate the Parking Lot and Tennis Courts at Veterans Memorial Park, ITB No. 4103 (\$265,910.00)

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

Enactment No: R-10-276

- DS-7 10-0661** Resolution to Approve FY 11 Allocations to Non-Profit Entities for Human Services - \$1,275,744 (General Fund)

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

Enactment No: R-10-277

- DS-8 10-0682** Resolution to Accept and Appropriate Increase of \$911,950 to \$850,000 Grant from Michigan State Housing Development Authority (MSHDA) for Neighborhood Stabilization Program Funds and Contract with Washtenaw County to Administer the Grant (8 Votes Required)

This item was deleted from the agenda and no action was taken.

Deleted from Agenda

- DS-9 10-0667** Resolution to Reallocate \$175,383.00 in Neighborhood Stabilization Program Funds to Avalon Housing Inc. or an Affiliated Ownership Entity for the Acquisition and Rehabilitation of 701 Miller (\$175,383.00 CDBG-NSP Funds) (8 Votes Required)

A motion was made by Councilmember Smith, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-10-279

- DS-12 10-0654** Resolution Accepting Easement from the United States of America for the Installation of Temporary Tie backs at the Federal Building (Underground S. Fifth Avenue Parking Structure Project) (8 Votes Required)

Sponsors: Rapundalo

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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-10-280

E COMMUNICATIONS FROM THE MAYOR

- E-1 10-0710** Appointments - Confirmations

Mayor Hieftje recommended the following appointments at the July 6, 2010 regular session of Council:

Insurance Board - Councilmember Representative

Councilmember Rapundalo

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 10-0745** Appointment - Confirmation

Mayor Hieftje announced that two members are needed for the Sign Board of Appeals.

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

Housing & Human Services Advisory Board

Tony Ramirez (Re-Appointment)

920 E. Ann

Ann Arbor, MI 48104

Term: August 5, 2010-August 5, 2013

Referred to the City Council due back on 8/5/2010

COMMUNICATIONS FROM COUNCIL

None.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

- F-1 10-0702** 300 Block of South Fifth Avenue to Close August 1st as Part of the South Fifth Avenue Parking Structure Project Construction
- City Administrator Roger Fraser submitted the above reports for information of Council.*
- Received and Filed**

G COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema thanked Assistant City Attorney Mary Fales for her work with the easement obtained from the United States government.

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

H The following communications were referred as indicated:

- H-1 Communication of support of the Zingerman's Expansion Project from Phil & Shirley Gach**
- H-2 Communication Kyle Mazurek regarding support of Zingerman's Deli Expansion**
- H-3 Zingerman's support communication from Jeremy Peters**
- H-4 Zingerman's support communication from Karl Couyoumjian**
- H-5 Zingerman's support letter from Michael Appel**
- H-6 Zingerman's support communication from Phil & Shirley Gach**
- H-7 Zingerman's support communication from Rebecca Anderson**
- H-8 Zingerman's support communication from Ingrid Ault**
- H-9 Zingerman's support communication from Chris Sing**
- H-10 Zingerman's support communication from Nancy C. Yvanauskas**
- H-11 Zingerman's support communication from Karen Gates**
- H-12 Zingerman's support communication from Kevin Van Kannel**

H-13 Zingerman's support communication from Tom Harrison

H-14 Zingerman's support communication from Lou Belcher

H-15 Zingerman's support communication from Lanny White

I The following minutes were received for file:

Passed on consent agenda

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

- I-1 10-0512 Airport Advisory Committee Minutes - March 17, 2010
- I-2 10-0622 City Planning Commission Minutes of May 4, 2010.
- I-3 10-0678 LDFA Board Meeting Minutes - March 16, 2010, April 27, 2010
- I-4 10-0692 Zoning Board of Appeals Minutes - November 19, 2009, January 27, 2010

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Jim Mogensen, 3781 Green Brier, spoke about high speed rail transportation versus bus service.

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

A motion was made by Councilmember Taylor, seconded by Councilmember Derezinski, that Council enter into Closed session to discuss attorney/client privileged communication. On roll call, the vote was as follows, with the Mayor declaring the motion carried and the meeting recessed 10:07 p.m.:

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

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Teall, seconded by Councilmember Derezinski, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:14 p.m.

ADJOURNMENT

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:15 p.m.

10-0770 7-19-10 Council Emails & Redaction List

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 19, 2010 AT 7:00 P.M.

REPLAYS: TUESDAY, JULY 20, 2010 AT 10:00 A.M. AND FRIDAY, JULY 23, 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