

City of Ann Arbor

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



Action Minutes

Monday, March 17, 2008

7:00 PM

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

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:06 p.m.

MOMENT OF SILENCE**PLEDGE OF ALLEGIANCE****ROLL CALL OF COUNCIL**

- Present:** 9 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere
- Absent:** 2 - Councilmember Leigh Greden, and Councilmember Marcia Higgins

APPROVAL OF AGENDA

A motion was made by Councilmember Kunselman, seconded by Councilmember Rapundalo, that the agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

INT INTRODUCTIONS**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 - What would Christ advise? Uniting the City, Council and State or Continuing to divide and discriminate.
Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding a statement, "What would Christ advise? Uniting the City, Council and State or to divide and discriminate."
2. Karen Sidney - Village Green (DS-4)
Karen Sidney, 100 Longman Lane, urged Council to vote no on the proposed amendment to the option to purchase agreement with Village Green Residential Properties LLC.

ROLL CALL

Councilmember Greden arrived at 7:12 p.m.

- Present:** 10 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere

Absent: 1 - Councilmember Marcia Higgins

3. Alan Haber - Old Y

Alan Haber, 531 Third St., addressed Council regarding the old Y. He said that the old Y should be constructed as a "commons" and not a parking lot.

4. Ed Amonsens - City Plans to Finance the New Court / Police Building

Ed Amonsens, 3043 Override, expressed concern with the City's plans to finance the new Court / Police Building and the related debt that the City would incur.

5. Sylvia Nolasco - Food Vending Permits

Sylvia Nolasco, 1510 N. Maple Rd., asked that the City Council reconsider an ordinance enforcement change that will place unreasonable hardship upon the Ann Arbor street vendors and that will have a detrimental impact on the ability of many vendors to remain in business.

6. Vivienne Armentrout - City Hall Proposal

Vivienne Armentrout, 920 Vesper Rd., spoke in support of the resolution regarding a lease extension for the 15th District Court space with Washtenaw County.

7. Miriam Lindsey - Hot Dog Stands

Miriam Lindsey, 4762 Washtenaw Ave., asked questions of Council regarding hot dog vendor enforcement policies in Ann Arbor.

8. Matthew Grocoff - Backyard Chickens (C-3)

Matthew Grocoff, 217 S. Seventh St., spoke in support of the proposed ordinance regarding backyard chickens.

9. Kristin Tomey - Backyard Chickens (C-3)

Kristin Tomey spoke in support of the proposed ordinance regarding backyard chickens.

10. Sebastian Escalada - Street Vending

Sebastian Escalada addressed Council regarding street vending in Ann Arbor.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 08-0082

An Ordinance to Amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, 3965 South State Street (CPC Recommendation: Approval - 8 Years and 0 Nays) (Ordinance No. ORD-08-07)

A public hearing was held on the proposed ordinance to amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, located at 2965 South State Street. Notice of hearing was published on March 2, 2008.

Thomas Partridge, 4220 Eyrie Dr., spoke in opposition of the proposed rezoning.

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

Enactment No: ORD-08-07

PH-2 08-0195

Resolution to Approve Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 Acres, Northeast Corner of West Liberty Road and I-94 (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was held on the proposed resolution to approve the Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 acres, located on the northwest corner of West Liberty Road and I-94. Notice of hearing was published on March 11, 2008.

Mike Cancannon, representing the developer, passed out a copy of drawings for the proposed site plan.

Thomas Partridge, 4220 Eyrie Dr., spoke in opposition of the proposed site plan.

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

Enactment No:

PH-3 08-0201

Resolution to Approve RelaxStation Site Plan, 0.16 Acre, 300 West Huron Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A public hearing was held on the proposed resolution to approve the RelaxStation Site Plan, 0.16 acre, located at 300 West Huron Street. Notice of hearing was published on March 11, 2008.

Eileen Bristol, owner of RelaxStation, explained the project to Council.

Robert Black, architect for the project, was available to answer questions of Council.

The following people spoke in support of the proposed RelaxStation Site Plan:

Kathy Griswold

Three members of the audience

Derek Petty, employee of RelaxStation

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

Enactment No: R-08-106

PH-4 Receive Public Comment on the Application of Arbor Networks, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2008-020

A public hearing was held on the proposed application of Arbor Networks for an Industrial Facilities Exemption Certificate in Industrial Development District 2008-020. Notice of hearing was published on March 2, 2008.

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

COMMUNICATIONS FROM COUNCIL

Councilmember Lowenstein

Councilmember Lowenstein asked that the City Administrator address the sidewalk vendor permit situation.

Mr. Fraser explained that the current permits issued to vendors were due to expire in March. Permit holders were notified in January that the City would be enforcing the terms of the existing ordinance, including the overnight restriction in regard to hot dog carts. Staff has been directed to prepare extensions for existing permits for up to 90 days, while Council considers the issues raised as a consequence of the enforcement and the impacts it may have on vendors.

Councilmember Greden

Councilmember Greden said that the Urban County Taskforce is close to completing their work and will be bringing their recommendation to Council in the form of a Communication from the City Administrator. A public hearing is also scheduled for the meeting of April 7, 2008.

Mayor Hieftje

Mayor Hieftje explained that the old YMCA site is a dangerous building for people to be in and it is cost prohibitive to make it temporarily useable space. The building will be demolished when the site is redeveloped.

A APPROVAL OF COUNCIL MINUTES

A-1 08-0270 Regular Session of March 3, 2008

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

CA-1 08-0141 Resolution to Amend Previously Approved Resolution R-347-8-01 Authorizing Water Main Improvement Charge for 1710 Dhu Varren Road (\$6,990.65)

Enactment No: R-08-095

CA-4 08-0199 Resolution to Approve the First Amendment to Professional Services Agreement with Kidorf Preservation Consulting for Historic Preservation Consulting Services (\$78,000.00)

Enactment No: R-08-096

CA-5 08-0210 Resolution to Accept Board of Insurance Administration Meeting Minutes of February 22, 2008

Enactment No: R-08-097

CA-6 08-0226 Resolution to Approve the Transfer Ownership and Location of a 2007 Class C Liquor Licensed Business Located at 2161 W. Stadium to 1703-1705 Plymouth Road - D/B/A Ayse's Cafe

Enactment No: R-08-098

CA-7 08-0229

Resolution to Approve Seventh Amendment to Legal Services Contract With Dykema Gossett (\$30,000.00)

Enactment No: R-08-099

CA-2 08-0148

Resolution Authorizing Road Improvement Charge for 3081 Glazier Way (\$19,633.77)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Lowenstein, that the Resolution be approved.

A motion was made by Councilmember Lowenstein, seconded by Councilmember Rapundalo, that the Resolution be postponed to the City Council, and should return by 4/7/2008. On a voice vote, the Mayor declared the motion carried.

CA-3 08-0149

Resolution Authorizing Road Improvement Charge for 3093 Glazier Way (\$98,168.85)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Lowenstein, that the Resolution be approved.

A motion was made by Councilmember Lowenstein, seconded by Councilmember Rapundalo, that the Resolution be postponed to the City Council and should be returned by 4/7/2008. On a voice vote, the Mayor declared the motion carried.

B ORDINANCE - SECOND READING

B & D Old Business

B-1 08-0143

An Ordinance to Amend Sections 1:813 and 1:821 of Chapter 23 (Living Wage Requirements) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-08-10)

Sponsors: Easthope

A motion was made by Councilmember Easthope, seconded by Councilmember Briere, that the Ordinance be approved.

Enactment No: ORD-08-10

A motion was made by Councilmember Briere, seconded by Councilmember Rapundalo, that the Ordinance be postponed to the City Council and should be returned by 4/7/2008. On a voice vote, the Mayor declared the motion carried.

Enactment No: ORD-08-10

D-1 08-0202

Resolution Authorizing Summary Publication of Ordinance No. ORD 08-10 Amending Sections 1:813 and 1:821 of Chapter 23, Living Wage Requirements in City Contracts and Grants, of Title I of the City of Ann Arbor

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

A motion was made by Councilmember Briere, seconded by Councilmember Rapundalo, that the Resolution be postponed to the City Council and should

be returned by 4/7/2008. On a voice vote, the Mayor declared the motion carried.

New Business:

- B-2 08-0082** An Ordinance to Amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, 3965 South State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-07)
- A motion was made by Councilmember Lowenstein, seconded by Councilmember Teall, that the Ordinance be Adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-08-07

C ORDINANCE - FIRST READING

- C-1 08-0258** An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return on 4/21/2008. On a voice vote, the Mayor declared the motion carried.**
- C-2 08-0262** An Ordinance to Add a New Section 9:15 to Chapter 106 (Nuisances) of Title IX of the Code of the City of Ann Arbor
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return by 4/21/2008. On a voice vote, the Mayor declared the motion carried.**
- C-3 08-0263** An Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor
- Sponsors:** Anglin, Kunselman and Teall
- A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return on 4/21/2008. On a voice vote, the Mayor declared the motion carried.**

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 08-0254** Resolution to Approve the Purchase One Four Wheel Drive Heavy Duty One Ton Cab and Chassis Truck from Signature Ford (Macomb County Bid \$33,462.00)
- Sponsors:** Kunselman
- A motion was made by Councilmember Kunselman, seconded by Councilmember Lowenstein, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-100
- DC-2 08-0271** Resolution to Request Washtenaw County Board of Commissioners to Negotiate with City Courthouse Lease Extension for 15th District Court
- Sponsors:** Anglin, Briere and Kunselman
- A motion was made by Councilmember Anglin, seconded by Councilmember Kunselman, that the Resolution be approved. On roll call, the mayor declared the motion Defeated with the vote reading as follows:**
- Yeas:** 5 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Anglin, and Councilmember Briere
- Nays:** 5 - Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Greden, Councilmember Teall, and Councilmember Easthope
- Absent:** 1 - Councilmember Higgins
- Enactment No:
- Added After Newspaper Deadline:**
- DC-3 08-0277** Resolution Supporting Governor Granholm's Proposed Increase in Statutory Revenue Sharing
- Sponsors:** Greden, Hieftje, Higgins, Rapundalo, Lowenstein and Teall
- A motion was made by Councilmember Greden, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- *City Clerk to forward a copy of the resolution to the Michigan Municipal League.**
- Enactment No: R-08-101
- DC-4 08-0278** Resolution to Amend Zoning Ordinance to Examine Alternatives to Allow Personal Service Uses in the Office District as described in the Zoning Ordinance (Section 5:10.12)
- Sponsors:** Higgins and Teall
- 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-08-102

DC-5 08-0282 Resolution to End the Temporary Suspension of the 2008 Sidewalk Improvement Program

Sponsors: Higgins, Kunselman and Rapundalo

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

***Council requested that staff provide a copy of the sample packet to all councilmembers.**

Enactment No: R-08-103

DC-6 08-0280 Resolution Appointing Golf Courses Advisory Task Force Members

Sponsors: Higgins and Lowenstein

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

Enactment No: R-08-104

A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that Council suspend the Council Rules to approve the appointments of the Golf Course Advisory Task Force as a one-step process, as well as approve the appointment of Doug Davis (non-resident of Ann Arbor) because of the qualifications he would bring to the Task Force and that the Resolution be amended as follows:

1st RESOLVED Clause:

RESOLVED, That the Mayor and City Council appoint the following individuals to the Golf Courses Advisory Task Force, with terms that expire on March 1, 2009 AND BE ELIGIBLE FOR RENEWAL ANNUALLY THEREAFTER FOLLOWING REVIEW AND APPROVAL BY THE MAYOR AND CITY COUNCIL:

**Stephen Rapundalo, City Councilmember
Julie Grand, Park Advisory Commission member
Doug Davis, current commercial operations expert
Bill Newcomb, Ann Arbor citizen with demonstrated golf operations expertise
Paul Bancel, Ann Arbor citizen with demonstrated golf operations expertise
Ed Walsh, Ann Arbor citizen with demonstrated golf operations expertise
Harold Simons, citizen with group golf play experience
Barbara Jo Smith, at-large Ann Arbor golf courses patron; and**

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

Enactment No: R-08-104

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

Enactment No: R-08-104

DC-7 08-0292 Resolution Recommending Revisions to the Ann Arbor Sidewalk Vendor Program

Sponsors: Briere and Kunselman

Enactment No: R-08-122

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

Last Resolved Clause:

RESOLVED, The Administrator provide a report and recommendations on REVISIONS to policies, fee structures, and ordinances necessary to create a sidewalk vendor program that is enforceable and works for the betterment of the community by [April 21, 2008] MAY 5, 2008.

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

Enactment No: R-08-122

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

Enactment No: R-08-122

DB New Business - Boards and Commissions:

DB-1 08-0195 Resolution to Approve Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 Acres, Northeast Corner of West Liberty Road and I-94 (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

A motion was made by Councilmember Lowenstein, seconded by Councilmember Teall, that the Resolution be approved. On a roll call, the Mayor declared the motion defeated with the following vote tallied:

Yeas: 3 - Councilmember Lowenstein, Councilmember Greden, and Councilmember Easthope

Nays: 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

Absent: 1 - Councilmember Higgins

Enactment No:

DB-2 08-0201 Resolution to Approve RelaxStation Site Plan, 0.16 Acre, 300 West Huron Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Enactment No: R-08-106

Recess

The Mayor declared a recess at 9:58 p.m. and reconvened the meeting at 10:14 p.m.

DB-3 08-0200 Resolution to Approve Desprez Annexation, 1.0 Acre, 3490 East Huron River Drive

(CPC Recommendation: Approval - 7 Yeas and 0 Nays).

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

Enactment No: R-08-107

DB-4 08-0180

Resolution to Approve Amendment No. 2 to the By-laws of the Ann Arbor-Ypsilanti SmartZone LDFA

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-08-108

DS New Business - Staff:

DS-1 08-0203

Resolution Setting a Public Hearing on April 7, 2008 to Receive Public Comment on the Proposed Industrial Development District No. 2008-030

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

Enactment No: R-08-109

DS-2 08-0211

Resolution to Approve Contract with Sehi Computer Products, Inc. for Personal Computer Replacement and Deployment Services - ITB No. 3911 (Not to Exceed \$363,342.00), Establish a Project Budget and a Supplemental Appropriation of Funds from the Information Technology Fund Reserves and a Budget amendment to FY2008 Information Technology Budget (\$135,006.00) (8 Votes Required)

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, thus satisfying the eight-vote requirement.

Enactment No: R-08-110

DS-3 08-0204

Resolution to Approve Purchase of 700 Altiris Client Management Suite Level 1 Licenses from Sehi Computer Products, Inc. (Not to Exceed \$34,650.00)

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-08-111

DS-4 08-0237

Resolution to Approve an Amendment to the Option to Purchase Agreement with Village Green Residential Properties LLC to extend the Term of the Agreement (8 Votes Required)

A motion was made by Councilmember Greden, seconded by Councilmember Teall, that the Resolution be Approved. On a roll call, the Mayor declared the motion defeated, with the following vote tallied:

Yeas: 5 - Mayor Hieftje, Councilmember Lowenstein, Councilmember Greden, Councilmember Teall, and Councilmember Easthope

Nays: 5 - Councilmember Suarez, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Anglin, and Councilmember Briere

Absent: 1 - Councilmember Higgins

Enactment No:

DS-6 08-0176

Resolution to Approve the Purchase of a Model 2115 Vector from Jack Doheny Supplies, Inc. (\$304,240.00)

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

Enactment No: R-08-112

DS-7 08-0175

Resolution to Approve Amendment No. 1 to the Professional Services Agreement with GeoTrans, Inc. (\$111,559.00)

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

Enactment No: R-08-113

DS-8 08-0174

Resolution to Appropriate Water Supply Funds and Approve and Authorize an Increase in the Ann Arbor Housing Trust Fund to Assist Low-income Homeowners with Water Service Repairs (\$65,000.00)(8 Votes Required)

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

Enactment No: R-08-114

DS-9 08-0168

Resolution to Approve Contract Change Order No. 1, Increasing the Total Contract Amount to \$163,174.00 with Margolis Companies, Inc. for Bid #3868 to Complete the Swift Run Dog Park Construction (Deleted on 3/17/08)

DS-10 08-0208

Resolution to Approve a Construction Contract with Allied Building Services, Inc. Per Bid #3925 for \$95,645.00 to Implement Phase I of the Master Market Plan - Existing Canopy Improvements and to Establish a Total Construction Project Budget of \$105,209.50 and Appropriate Funds for the Construction Project from the Market Fund (8 Votes Required)

A motion was made by Councilmember Teall, 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-08-115

DS-11 08-0232

Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 5, 2008

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

Enactment No: R-08-116

Postponement of the Closed Session

With unanimous consent of Council, the Council Rule regarding Closed Session was suspended in order to postpone adjourning to Closed Session until after 11 p.m.

DS-12 08-0233 Resolution to Approve Street Closings for the 2008 Take Back The Night (Rally and March) - Thursday, April 10, 2008

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

Enactment No: R-08-117

DS-13 08-0234 Resolution to Close North University Avenue from 6:00 A.M. on Friday, May 16, 2008 to Noon on Sunday, May 18, 2008 for the Ann Arbor Book Festival to be Held on Saturday, May 17, 2008 from 10:00 A.M. to 6:00 P.M.

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-08-118

DS-14 08-0231 Resolution Authorizing Purchase of Easement for Road Right-of-Way from Traver Village Limited Partnership (8 Votes Required)

A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Resolution be Approved. On a roll call, the Mayor declared the motion carried with the following vote tallied as follows and thus satisfying the eight-vote requirement:

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

Nays: 1 - Councilmember Briere

Absent: 1 - Councilmember Higgins

Enactment No: R-08-119

DS-15 08-0251 Resolution to Approve the Sale of City-Owned Property Located in the Ann Arbor Tally Hall Condominium to McKinley Inc. for the McKinley Towne Centre - Liberty Retail Development (8 Votes Required)

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

Enactment No: R-08-120

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

Delete 3rd RESOLVED Clause:

...[RESOLVED, That the proceeds from this transaction shall be deposited into

Fund 0008 - The Municipal Center Fund;] ...

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

Enactment No: R-08-120

The question being the resolution as amended, on a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-08-120

DS-16 08-0250

Resolution to Approve a Request from the University of Michigan to Close Portions of North University Avenue and Prohibit Sidewalk Occupancy Permits and Peddler Licenses During University of Michigan Spring Graduation Commencement Ceremonies

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-08-121

E COMMUNICATIONS FROM THE MAYOR

E-1 08-0294 3/17/08 Appointment Nominations

COMMUNICATIONS FROM COUNCIL**F COMMUNICATIONS FROM CITY ADMINISTRATOR**

F-1 08-0205 Land Acquisition Committee of the Park Advisory Commission

F-2 08-0235 Ann Arbor Farmers Market Rapid Market Assessment Report

F-3 08-0206 Informational Item - Resolution to Approve the City of Ann Arbor Joining the Washtenaw Urban County for Fiscal Years 2010, 2011, and 2012 and Authorize the City to Enter into the Urban County Cooperative Agreement with Washtenaw County

Sponsors: Easthope and Greden

G COMMUNICATIONS FROM 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 Lowenstein, seconded by Councilmember Greden, that the following Consent Items be approved as

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

- H-1 08-0247 Communication from S.E.M.C.O.G. regarding their Regional Update, Vol. 13, No. 5, 2/25/08
- H-2 08-0248 Communication from Comcast regarding changes/additions in the Channel lineup
- H-3 08-0249 Communication from the Department of Labor & Economic Growth regarding a grading work complaint made by Fritz Crisler
- H-4 08-0264 Communication from DTE regarding notice of hearing for the Electric Delivery and Supply Customers of the Detroit Edison Company, Case No. U-15244 scheduled for March 20, 2008
- H-5 08-0265 Communication from the Michigan Suburbs Alliance regarding its edition of In The Ring, Issue No. 3 Third Quarter 2007
- H-6 08-0268 Communication from the Michigan Public Service Commission regarding a public hearing notice for the Electric Customers of the Detroit Edison Company, Case No. U-15417 scheduled for March 27, 2008 in Lansing Michigan

I The following minutes were received for file:

- I-1 07-0395 Commission on Disabilities Issues - September 19, 2007 Meeting Minutes
- I-2 08-0214 City of Ann Arbor Employees' Retirement System Minutes - January 17, 2008
- I-3 08-0215 City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes - January 17, 2008
- I-4 08-0216 Greenbelt Advisory Commission Minutes of January 9, 2008
- I-5 08-0218 Ann Arbor Housing Commission Minutes - January 16, 2008
- I-6 08-0221 Public Market Advisory Commission Minutes - January 17, 2008
- I-7 08-0224 Sign Board of Appeals Minutes - October 10, 2006; February 13, 2007; June 12, 2007; August 14, 2007
- I-8 08-0225 Housing Board of Appeals Minutes - June 5, 2007; September 11, 2007; January 8, 2008
- I-9 08-0228 Zoning Board of Appeals Minutes - June 27, 2007; July 25, 2007; August 22, 2007; September 23, 2007; October 24, 2007; November 28, 2007; December 19, 2007; January 23, 2008
- I-10 08-0238 Commission on Disability Issues - October 2007 Meeting Minutes
- I-11 08-0240 Disabilities Commission Nov 2007 Meeting Minutes

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| I-12 | 08-0242 | Disabilities Commission December 2007 Meeting Minutes |
| I-13 | 08-0243 | Disabilities Commission Meeting Minutes January 2008 |
| I-14 | 08-0244 | Human Rights Commission Meeting Minutes 9/17/07, 10/10/07, 11/14/07, 12/12/07, 01/09/08 |
| I-15 | 08-0245 | Election Commission Minutes - December 20, 2007 |

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

1. Nancy - RFP for 415 W. Washington

Nancy Shiffler, 2877 Sorrento Avenue, spoke in objection of the Request for Proposals regarding the sale and development of the City-owned property at 415 W. Washington. Ms. Shiffler stated the City should consider converting this property to a greenway.

2. Chris Hildebrand

Chris Hildebrand addressed Council regarding her concerns about the sale of City property. She spoke of using Kerrytown for public purposes.

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

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that Council enter into Closed Session. On a roll call, the Mayor declared the motion carried, and the meeting recessed at 11:20 p.m.

The vote to enter into a Closed Session was as follows:

Yeas: 9 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Kunselman, Councilmember Teall, Councilmember Easthope, Councilmember Anglin, and Councilmember Briere

Nays: 0

Absent: 2 - Councilmember Greden, and Councilmember Higgins

MEETING RECONVENED

A motion was made by Councilmember Suarez, seconded by Councilmember Rapundalo, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 11:24 p.m.

ADJOURNMENT

A motion was made by Councilmember Suarez, seconded by Councilmember Anglin, that the meeting Adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:24 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

**RECORDED: MONDAY, MARCH 17, 2008, 7:00 P.M.
BROADCASTS HAVE NOT BEEN SCHEDULED AT THIS TIME DUE TO THE CTN
STUDIO RELOCATION.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 994-2725 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

A hard copy of this Council packet can be viewed at the front counter of the City Clerk's office.