

# City of Ann Arbor

100 N. Fifth Avenue  
Ann Arbor, MI 48104  
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## Action Minutes

Monday, May 5, 2008

7:00 PM

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

City Council

**CALL TO ORDER**

*Mayor John Hieftje called the Regular Session of the Ann Arbor City Council to order at 7:06 p.m. in the City Hall Council Chamber, 100 N. Fifth Ave, Ann Arbor, Michigan.*

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

**APPROVAL OF AGENDA**

**A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Agenda be Approved with changes. On a voice vote, the Mayor declared the motion carried.**

**INT INTRODUCTIONS****INT-1 08-0307 Historic District Commission Annual Awards**

*Susan Wineberg, 712 E. Ann, presented the Historic Preservation Awards in the City of Ann Arbor in recognition of Historic Preservation Month.*

*The awards were presented to the following:*

*Rehabilitation Awards*

*Patrick McCauley, 1526 Pontiac Trail*

*Bill and Chris Levleit, 513 Fourth Street*

*University of Michigan, Observatory Lodge, 1402 Washington Heights*

*University of Michigan, Stanford Lipsey Student Publication Building, 420 Maynard Street*

*Dr. Timothy Wang, J.D. Baldwin House, 1530 Hill Street*

*Preservation Awards*

*Jeff Lamb and Ulrike Lau-Lamb, 809 Miller Avenue*

*Jim and Sue Kern, 318 S. Thayer Street*

*Robert C. Metcalf, 1052 Arlington*

*John and Gwen Nystuen, 1016 Olivia Avenue*

*Laura and Andrew Strowe, 1327 Broadway*

*Sesquicentennial Awards (Businesses and Organizations in Ann Arbor for over 150 Years)*

*Hutzel Plumbing and Heating Co.*

*Washtenaw County Historical Society*

*Preservation Project of the Year  
Dennis Dahlmann, 100 S. Main Street*

*Preservationists of the Year  
Peter and Rita Heydon, 322, 324 and 332 E. Washington Street*

**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 - True Democratic Process needed to Unite Ann Arbor, Washtenaw County, and Michigan. Affordable Public Transportation, Housing, and Health Care is Essential.  
*Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding a true democratic process needed to unite Ann Arbor, Washtenaw County and Michigan and the need to create affordable public transportation, housing and health care being essential.*
2. Daniel Higgins - Huron River Drive Improvements  
*Daniel Higgins, 5033 Birkdale, addressed Council regarding the Huron River Drive improvement project. Mr. Higgins expressed concerns with the bid process and the City's desire to use a pipe bursting process.*
3. Vivienne Armentrout - Project Grow  
*Vivienne Armentrout, 920 Vesper Road, asked for Council to reinstate the funding for Project Grow to the 2009 City budget.*
4. Bill Higgins - Huron River Drive Construction Project  
*Bill Higgins, 319 Cottonwood Lane, in Saline, Michigan, addressed Council regarding the Huron River Drive construction project and expressed concern with the RFP process for this project.*
5. Stewart Beal - City Hall Penthouse Asbestos Abatement Project  
*Stewart Beal, 221 Felch St., addressed Council regarding the proposed City Hall Asbestos Abatement Project. He expressed concern with the RFP process.*
6. Margaret Wong - Selection Committee for 415 W. Washington RFP  
*Margaret Wong, 418 S. First St., addressed Council regarding the selection committee for the 415 W. Washington RFP. She said that the property could be a real showcase for the City and urged the City to think carefully about the future before making any decisions.*
7. Miriam Lindsey - Many Topics

*Mariam Lindsey, 4762 Wastehnow Apt. C3, addressed Council regarding a number of issues related to rehabilitation into society from the prison system.*

8. Mike Valentine - Chicken Ordinance

*Mike Valentine, 2260 Miller, spoke in support of the proposed Chicken Ordinance.*

**PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)**

**PH-1 08-0283**

An Ordinance to Amend Chapter 55, Rezoning of 0.73 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares Property, 505 Riverview Drive (CPC Recommendation for R1B: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-08-11)

*A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of 0.73 acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares property, located at 505 Riverview Drive. Notice of public hearing was published April 20, 2008.*

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

Enactment No: ORD-08-11

**PH-2 08-0306**

An Ordinance to Amend Section 3:1 of Chapter 39 (Parks-General Regulations) of Title III of the Code of the City of Ann Arbor - Revise the Definition to allow the Sale of Alcohol at Leslie Park Golf Course (Ordinance No. ORD-08-13)

*A public hearing was conducted on the proposed amendment to Chapter 39, Section 3:1 - Parks General Regulations of Title III of the Code of the City of Ann Arbor, to revise the definition to allow the sale of alcohol at Leslie Park Golf Course. Notice of public hearing was published May 4, 2008.*

*Miriam Lindsey, 4762 Washtenaw Apt. C3, spoke in opposition of the proposed ordinance.*

*Thomas Partridge, 4220 Eyrie Dr. asked that the ordinance be tabled.*

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

Enactment No: ORD-08-13

**PH-3 08-0327**

An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic Code) of Title X of the Code of the City of Ann Arbor (ORD No. ORD-08-15) - Pedestrian Right of Way in Marked Crosswalks

*A public hearing was conducted on the proposed amendment to Chapter 126, Section 10:148 - Traffic Code, pedestrian right of way in marked crosswalks. Notice of public hearing was published May 4, 2008.*

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

Enactment No: ORD-08-15

**PH-4 08-0385**

An Ordinance to Amend Sections 1:552 and 1:569 of Chapter 18,

Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Duty Death Benefit (Ord. No. ORD-08-16)

*A public hearing was conducted on the proposed amendment to Chapter 18, Section 1:552 and 1:569, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - duty death benefit. Notice of public hearing was published May 4, 2008.*

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

Enactment No: ORD-08-16

**PH-5 08-0483**

Fiscal Year 2009 Fee Adjustments for Safety Services Area - Fire Department Fee Schedule

*A public hearing was conducted on the proposed Fiscal Year 2009 Fee Adjustments for Safety Services Area - Fire Department Fee Schedule. Notice of public hearing was published May 4, 2008.*

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

**PH-6 08-0484**

Fiscal Year 2009 Fee Adjustments for Public Services Area - Project Management, Customer Service, and Field Operations

*A public hearing was conducted on the proposed Fiscal Year 2009 Fee Adjustments for Public Services - Project Management, Customer Service and Field Operations. Notice of public hearing was published May 4, 2008.*

*Thomas Partridge, 4220 Eyrie Dr., expressed concern with the proposed Public Services Area fees.*

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

**PH-7** Proposed 2008-2009 City of Ann Arbor Budget and Property Tax Millage Rates

*A public hearing was conducted on the proposed 2008-2009 City of Ann Arbor Budget and Property Tax Millage Rates. Notice of public hearing was published April 29, 2008.*

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

#### **COMMUNICATIONS FROM COUNCIL**

*Councilmember Rapundalo*

*Councilmember Rapundalo announced that a public meeting would be held in the Council Chambers on Wednesday, May 21, 2008 to gather public input regarding the new redevelopment liquor licenses in the DDA district.*

*Councilmember Anglin*

*Councilmember Anglin stated the Taxicab Board voted to increase fees for the initial flag drop by \$0.50 as well as a rate increase of \$0.25 due to the continued increase in gas prices.*

*Councilmember Teall*

*Councilmember Teall clarified that these are proposed fees and would be coming to Council for a final decision.*

*Councilmember Higgins*

*Councilmember Higgins asked the City Administrator to clarify the funding cuts to Project Grow as addressed by a public speaker. Councilmember Higgins stated she recalled that Project Grow indicated that it did not need the proposed funding in last year's budget.*

## **A APPROVAL OF COUNCIL MINUTES**

**A-1 08-0422** Working Session of April 14, 2008 and Regular Session of April 21, 2008

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

## **CA CONSENT AGENDA**

### **Passed on consent agenda**

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

**CA-1 08-0360** Resolution to Approve Amendment No. 2 to the Professional Services Agreement with Midwestern Consulting, LLC (\$23,500.00) for the Mallets Creek Culvert Crossing at South State Street Project

Enactment No: R-08-179

**CA-2 08-0367** Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from PVS Nolwood Chemicals, Bid No. 3869 (estimated \$44,880.00/yr)

Enactment No: R-08-180

**CA-3 08-0368** Resolution for Approval of a Professional Services Agreement with Stantec Consulting Michigan, Inc. for Consulting Services for FERC Part 12 Dam Inspection and Safety Report, RFP No. 690 (\$33,700.00) and to Approve a Project Budget (\$38,700.00)

Enactment No: R-08-181

**CA-4 08-0397** Resolution to Approve the Transfer of Ownership and Location of a 2007 Class C Liquor Licensed Business located at 3155 Boardwalk, D/B/A Ann Arbor Lodging, L.L.C.

Enactment No: R-08-182

**CA-5 08-0398** Resolution to Transfer Delinquent Sidewalk Maintenance Charges to the

## 2008 City Tax Roll

Enactment No: R-08-183

- CA-6 08-0409** Resolution to Approve the Transfer of Ownership and Location of a Class C Liquor Licensed Business located in Escrow at 124 Pearl, Suite 101, in Ypsilanti, Michigan, to 859 Eisenhower Parkway, and a Request for a New Entertainment Permit to be held in Conjunction with the Class C Liquor License (D/B/A Bagger Dave's Legendary Burgers & Fries)

Enactment No: R-08-184

**B ORDINANCE - SECOND READING**

- B-1 08-0283** An Ordinance to Amend Chapter 55, Rezoning of 0.73 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Cares Property, 505 Riverview Drive (CPC Recommendation for R1B: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-08-11)

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

Enactment No: ORD-08-11

- B-2 08-0306** An Ordinance to Amend Section 3:1 of Chapter 39 (Parks-General Regulations) of Title III of the Code of the City of Ann Arbor - Revise the Definition to allow the Sale of Alcohol at Leslie Park Golf Course (Ordinance No. ORD-08-13)

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

Enactment No: ORD-08-13

- B-3 08-0327** An Ordinance to Amend Section 10:148 of Chapter 126 (Traffic Code) of Title X of the Code of the City of Ann Arbor (ORD No. ORD-08-15) - Pedestrian Right of Way in Marked Crosswalks

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

Enactment No: ORD-08-15

**Passed on consent agenda**

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

- B-4 08-0385** An Ordinance to Amend Sections 1:552 and 1:569 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann

Arbor - Duty Death Benefit (Ord. No. ORD-08-16)

Enactment No: ORD-08-16

**DS-1 08-0436**

Resolution Authorizing Summary Publication of Ordinance No. ORD-08-16 Amending Sections 1:552 and 1:569 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Duty Death Benefit

Enactment No: R-08-185

**C ORDINANCE - FIRST READING**

**C-1 08-0440**

An Ordinance to Amend Sections 1:573 and 1:592 of Chapter 18, Employees Retirement System, of Title I of the Code of the City of Ann Arbor - Post-Retirement Benefits

*Councilmember Higgins requested that all changes be consolidated by the Pension Board into one ordinance and brought back together.*

**A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Ordinance be referred to the Employees' Retirement System Board of Trustees. On a voice vote, the Mayor declared the motion carried.**

**C-2 08-0456**

Motion for Reconsideration of the April 21 Vote that Defeated the First Readings of Three Ordinances Related to Backyard Chickens: "An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor," "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," and "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

**The following motion was made by Councilmember Anglin, seconded by Councilmember Kunselman:**

**Under City Council Rule 12, I move a reconsideration of the April 21 vote that defeated the First Readings of three ordinances related to backyard chickens: "An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor," "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," and "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." I voted on the prevailing side.**

**On roll call, the vote was as follows with the Mayor declaring the motion carried.**

**Yeas:** 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, and Councilmember Briere



**Nays:** 2 - Councilmember Rapundalo, and Councilmember Greden

**Absent:** 2 - Councilmember Lowenstein, and Councilmember Easthope

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 (ORD-08-17)

**Sponsors:** Anglin, Kunselman and Teall

**A motion was made by Councilmember Anglin, seconded by Councilmember Kunselman, that the Ordinance be approved on First Reading to the City Council, due on 6/2/2008. On roll call, the vote was follows, with the Mayor declaring the motion carried.**

**Yeas:** 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

**Nays:** 2 - Councilmember Rapundalo, and Councilmember Greden

**Absent:** 2 - Councilmember Lowenstein, and Councilmember Easthope

Enactment No: ORD-08-17

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 (ORD-08-18)

**Sponsors:** Anglin, Kunselman and Teall

**A motion was made by Councilmember Anglin, seconded by Councilmember Kunselman, that the Ordinance be approved on First Reading to the City Council, due on 6/2/2008. On roll call, the vote was as follows, with the Mayor declaring the motion carried.**

**Yeas:** 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

**Nays:** 2 - Councilmember Rapundalo, and Councilmember Greden

**Absent:** 2 - Councilmember Lowenstein, and Councilmember Easthope

Enactment No: ORD-08-18

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 (ORD-08-19)

**A motion was made by Councilmember Anglin, seconded by Councilmember Kunselman, that the Ordinance be approved on First Reading to the City Council, due on 6/2/2008. On roll call, the vote was as follows, with the Mayor declaring the motion carried.**

**Yeas:** 7 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Anglin, and Councilmember Briere

**Nays:** 2 - Councilmember Rapundalo, and Councilmember Greden

**Absent:** 2 - Councilmember Lowenstein, and Councilmember Easthope

Enactment No: ORD-08-19

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

**DC-1 08-0480** Resolution Establishing the Liquor License Review Committee as a Permanent Council Committee

**Sponsors:** Rapundalo, Suarez and Anglin

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

Enactment No: R-08-186

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

**2nd RESOLVED Clause:**

**...RESOLVED, That the Liquor License Review Committee shall be comprised of [three] FOUR members of the City Council, [appointed annually each November as part of the regular Council committee assignments]; and ...**

**[ ] Indicates deleted language.  
All Caps indicate new language**

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

Enactment No: R-08-186

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

Enactment No: R-08-186

### DB New Business - Boards and Commissions:

**DB-1 08-0355** Resolution to Approve 2009-2014 Capital Improvements Plan (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

Enactment No: R-08-170

**DB-2 08-0432** Resolution to Approve Maher Annexation, 1.06 Acres, 3087 Glazier Way (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

Enactment No: R-08-187

**DB-3 08-0444** Resolution to Approve Distribution of Amendments to the City of Ann Arbor Downtown Plan (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

**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-08-188

**DS New Business - Staff:**

**DS-2 08-0353** Resolution to Allocate \$152,000.00 in HOME Funds to Habitat for Humanity of Huron Valley for the Land Acquisition and Construction of 1718, 1720 and 1724 Enclave Lane and to Approve the Affordable Housing Covenant (\$152,000.00 HOME Funds)

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

Enactment No: R-08-189

**DS-3 08-0357** Resolution to Amend the Allocation of HOME Funds to Whispering Creek Project LLC for the Acquisition and Rehabilitation of 3335 - 3337 Platt Road from \$205,000.00 to \$377,364.00 and to Approve the Housing Affordability Agreement (\$377,364.00 HOME Funds)

**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.**

Enactment No: R-08-190

**DS-4 08-0356** Resolution to Amend the Allocation of HOME Funds to Whispering Creek Project LLC for the Acquisition and Rehabilitation of 3331 - 3333 Platt Road from \$205,000.00 to \$32,636.00 and to Approve the Housing Affordability Agreement (\$32,636.00 HOME Funds)

**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-08-191

**Passed on consent agenda**

**A motion was made by Councilmember Briere, seconded by Councilmember Greden, that the following Consent Items be approved as presented. On a**

voice vote, the Mayor declared the motion carried.

- DS-5 08-0410** Resolution to Close Streets for the 8th Annual Mayor's Green Fair - Friday, June 13, 2008  
Enactment No: R-08-192
- DS-6 08-0415** Resolution to Approve Street Closings for the Tour de Kids Bike Race and Festival for Families and Kids - Sunday, June 15, 2008  
Enactment No: R-08-193
- DS-7 08-0411** Resolution to Approve Street Closings for the Tortoise & Hare 5K Run/Walk and Kid's Dash - Friday, July 4, 2008  
Enactment No: R-08-194
- DS-8 08-0412** Resolution to Approve Street Closings for the Neutral Zone Block Party - Saturday - May 31, 2008  
Enactment No: R-08-195
- DS-9 08-0414** Resolution to Close N. Fourth Avenue and E. Ann Street for the 13th Annual African-American Downtown Festival, Friday, June 6, 2008 to Saturday, June 7, 2008  
Enactment No: R-08-196
- DS-10 08-0425** Resolution to Close Street for the Townie Street Party - Monday, July 14, 2008  
Enactment No: R-08-197
- DS-11 08-0392** Resolution to Approve a Grant Contract with the Michigan Department of Transportation for the Design and Construction of a Snow Removal Equipment Storage Building, Preparation of a Hangar Site Area and Update of the Airport Layout Plan for the Ann Arbor Municipal Airport (\$1,297,864.00) **(8 Votes Required)**  
  
**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-08-198
- DS-12 08-0394** Resolution to Approve an Agreement with CMA Construction Services Inc. (\$2,390,000.00), Approve Contract Amendments #1 and #2 to the Professional Services Agreement between the City and URS Corporation (\$38,000.00) and Appropriate Funds and Amend the Project Budget for the Box Hangar and Snow Removal Equipment Building Project at the Ann Arbor Airport (\$2,566,374.00) **(8 Votes**

**Required)**

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

Enactment No: R-08-199

**DS-13 08-0400**

Resolution to Appropriate Funds from the Major (\$70,500.00) and Local (\$55,500.00) Street Funds to Address Severe Winter Road Damage and to Authorize the Purchase of Additional High Performance Cold Patch from Ultimate Epoxy, LLC (\$28,185.00), Bid # 3818 **(8 Votes**

**Required)**

**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 unanimously, thus satisfying the eight-vote requirement.**

Enactment No: R-08-200

**DS-14 08-0379**

Resolution to Award a Contract for the Superior Dam Painting and Handrail Replacement Project to Atsalis Brothers Painting (\$203,040.00) and Approve Project Budget (\$265,000.00)

**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-08-201

**DS-15 08-0361**

Resolution to Award a Construction Contract to L. J. Construction, Inc. (Bid No. 3924, \$111,641.63) for the Malletts Creek Culvert Crossing at South State Street Project

**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-08-202

**DS-16 08-0376**

Resolution to Approve a Professional Services Agreement with Washtenaw Engineering Company for the design of Catherine Street 16" Water Main; Plymouth Road Water Main Replacement; Wagner Road Sanitary Sewer - South; Glendaloch Circle Water Main Replacement; and Clair Circle Water Main Replacement Projects (\$148,586.00)

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

Enactment No: R-08-203

**DS-17 08-0372**

Resolution to Approve Amendment No. I to a Professional Services Agreement with Parsons-Brinckerhoff Michigan, Inc., for the Huron

Parkway Bridge Painting and Huron Parkway/Geddes Avenue Intersection Improvements Project (\$128,641.54)

*Staff to provide a detailed analysis of Broadway and Huron Parkway bridge expenditures for materials and corrections and a breakdown of expenditures paid using Contingency Funds by June 2008.*

**A motion was made by Councilmember Briere, seconded by Councilmember Suarez, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried with one no-vote by Councilmember Rapundalo.**

Enactment No: R-08-204

**DS-18 08-0391**

Resolution to Approve the Purchase of a Prisoner Transport Vehicle from Sirchie Finger Print Laboratories (Bid # 3933, \$36,400.00) ~~(8 Votes Required)~~

**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 unanimously.**

Enactment No: R-08-205

**DS-19 08-0413**

Resolution to Approve an Amendment No. 2 to a Professional Services Agreement with Complete Corporate Solutions, Inc. to Provide Public Web Access to 15th District Court Historic Data (\$40,800.00 Amendment No. 2/\$119,600.00 total contract)

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

Enactment No: R-08-206

**DS-20 08-0434**

Resolution to Approve a Funding and Repayment Agreement with the Ann Arbor Employees Retirement System to Finance the Acquisition of Office Space for the Pension System (Not to Exceed \$400,000.00)

**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.**

Enactment No: R-08-207

**DS-21 08-0403**

Resolution to Appropriate Funds and Reimburse FCR, Inc. for the Purchase of a Replacement Fire Protection System at the City-owned Materials Recovery Facility (MRF) \$117,779.00 **(8 Votes Required)**

**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 unanimously, thus satisfying the eight-vote requirement.**

Enactment No: R-08-208

**DS-22 08-0451**

Resolution to Accept Grant and Appropriate Funds from the Downtown Development Authority (\$100,000.00), to Establish Project Budget and to

Authorize Contract with S.U.R. Energy Systems, LC, to Construct a Solar Electric System at the Farmers Market (\$53,725.00) **(8 Votes Required)**

**A motion was made by Councilmember Teall, seconded by Councilmember Suarez, 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-08-209

**DS-23 08-0401**

Resolution to Approve Purchase of a New Forklift (\$28,978.58) and Installment Lease/Purchase Agreement with Deere Credit, Inc., for a New Loader at the City Materials Recovery Facility/Waste Transfer Station (\$173,500.00; \$37,858.88/year)

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

Enactment No: R-08-210

## **E COMMUNICATIONS FROM THE MAYOR**

**E-1 08-0428**

*4/21/08 Nominations and Appointments*

*Ann Arbor Commission on Disability Issues and Downtown Area Citizens Advisory Council*

**A motion was made by Councilmember Higgins, seconded by Councilmember Suarez, that the Appointments be approved. On a voice vote, the Mayor declared the motion carried.**

**E-2 08-0487**

*Appointments - Nominations*

*Ann Arbor Transportation Authority, Temporary Committee regarding 415 W. Washington*

**A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Council Rules be waived and the nominations be approved in a one-step process. On a voice vote, the Mayor declared the motion carried.**

## **COMMUNICATIONS FROM COUNCIL**

*Councilmember Kunselman*

*Councilmember Kunselman thanked City staff for their work on Packard Road.*

## **F COMMUNICATIONS FROM CITY ADMINISTRATOR**

**F-1 08-0406**

Open Space and Parkland Preservation Funds

**F-2 08-0408**

Living Wage Annual Increase

**F-3 08-0465**

SmartZone LDFA Board Member Term Appointments

**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 Higgins, seconded by Councilmember Briere, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.**

- H-1 08-0448** Communication from S.E.M.C.O.G. regarding their publication of SEMCOG, April 7, 2008, Vol 13. No. 8
- H-2 08-0447** Communication from the Michigan Public Service Commission regarding a notice of Public hearing for the customers of the Detroit Edison Company Case No. U-12478, May 1, 2008
- H-3 08-0446** Communication from the Michigan State University Extension regarding their publication of "Bringing Knowledge to Live in Washtenaw County" - March 2008
- H-4 08-0445** Communication from W.A.T.S. regarding the monthly publication of The Vehicle - April 2008, Vo. 2
- H-5 08-0450** Communication from Michigan Public Service Commission regarding Notice of Public Hearing for electric customers of the Detroit Edison Company, Case No. U-15002-R scheduled for May 14, 2008
- I The following minutes were received for file:**
- I-1 08-0362** Ann Arbor Energy Commission Meeting Minutes - March 11, 2008
- I-2 08-0416** Housing and Human Services Advisory Board Minutes - February 19, 2008, March 11, 2008 and March 25, 2008
- I-3 08-0417** Public Market Advisory Commission Minutes - February 21, 2008
- I-4 08-0420** Parks Advisory Commission Minutes - September 18, 2007; October 16, 2007; November 20, 2007; December 18, 2007; January 15, 2008; February 26, 2008; March 18, 2008
- I-5 08-0421** Housing Board of Appeals Minutes - February 5, 2008
- I-6 08-0423** Historic District Commission Minutes - July 12, 2007; August 9, 2007;



Regular and Special Sessions; September 13, 2007 Regular and Special Sessions; October 11, 2007; November 8, 2007 and December 13, 2007

- I-7      08-0455      Environmental Commission Minutes of January 24, 2008 and March 27, 2008
- I-8      08-0481      Washtenaw Area Transportation Study (W.A.T.S.) minutes of December 19, 2007; February 19, 2008 and March 19, 2008

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

1.      Vivienne Armentrout - Project Grow

*Vivienne Armentrout, 920 Vesper Road, addressed Council regarding funding for Project Grow.*

2.      Thomas Partridge - Affordable Housing

*Thomas Partridge, 4220 Eryie Dr. addressed Council regarding Affordable Housing.*

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

*None.*

**ADJOURNMENT**

**A motion was made by Councilmember Higgins, seconded by Councilmember Greden, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 9:27 p.m.**

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

**LIVE: MONDAY, MAY 5, 2008, 7:00 P.M.**

**REPLAYS: TUESDAY, MAY 6, 2008, 10:30 A.M. AND FRIDAY MAY 9, 2008 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 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.**