



City of Ann Arbor

Meeting Minutes - Draft

City Council

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

Monday, November 5, 2007

7:00 PM

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

CALL TO ORDER

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:14 p.m. in the City Hall Council Chamber.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

Present: 11 - Mayor John Hieftje, Councilmember Robert M. Johnson, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Christopher S. Easthope, and Councilmember Wendy A. Woods

APPROVAL OF AGENDA

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

Move & Revise: CLOSED SESSION TO DISCUSSING PENDING LITIGATION AND ATTORNEY / CLIENT PRIVILEGED COMMUNICATION AND / OR LAND ACQUISITION AND OR PERSONNEL MATTERS (Consider after DS-8 Sobriety Court Grant Program and add and / or Personnel Matters to the Title.)

INT INTRODUCTIONS

INT-1 07-0355 Motor Meals Awareness Month

Mayor Hieftje read the proclamation recognizing the month of November as Motor Meals Awareness Month. The purpose of Motor Meals is to reduce hunger and food insecurity and promote the dignity and independence of those they serve. A copy of the proclamation is on file in the City Clerk's Office.

INT-2 07-0358 Prematurity Awareness Month

Mayor Hieftje read a proclamation recognizing November 2007 as Prematurity Awareness Month. Premature birth threatens the lives and health of more than half a million babies every year, including one in eight babies born in Washtenaw County and is the leading cause of death in newborns in America. A copy of the proclamation is on file in the City Clerk's Office.

INT-3 07-0356 National Hospice Month, November 2007

Mayor Hieftje read and presented the proclamation recognizing November 2007 as National Hospice Month. Hospice of Michigan extends care to all citizens who need and seek end of life care and strive to improve Hospice and palliative care for all people in Michigan and across the Nation. Kathy Heir and Marie Kirkindall received the proclamation on Hospice's behalf. A copy of the proclamation is on file in the City Clerk's Office.

INT-4 07-0357 Maple Meadows Community

Elizabeth Lindsley, Ann Arbor Housing Commission Director, introduced the new Site Base Manager of the Housing Commission, Terra Williams. Ms. Williams addressed Council regarding the Maple Meadows Community. She talked about how public housing started and what public housing is defined as within the city. She said that Ann Arbor's public housing would be in a worse state if it was not for the Ann Arbor Police Department. She concluded by stating that they are trying to foster more self reliance within the community.

INT-5 07-0359 Eco Sense Program

Tim Nagae, CTN Producer, announced that CTN is producing a show titled Eco Sense. They are planning to produce 6 shows, with the first three focusing on energy and the last three focusing on the environment. The program is now playing on Channel 19. Mr. Nagae showed Council a brief clip of the program.

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. Mel Barclay - Michigan Renewable Energy Sources Act (HB 5218) (DC-1)

Mel Barclay, 2861 Briarcliff, spoke in support of the proposed Michigan Renewable Energy Sources Act.

2. Thomas Partridge - Protect Ann Arbor and America's most Vulnerable Residents. Vote for Progressive Democratic Candidates and Policies.

Thomas Partridge, 4220 Eyrie Dr., addressed Council regarding protecting Ann Arbor and America's most vulnerable residents and to vote for progressive democratic candidates and policies.

3. Mary Campbell - Class C Liquor License - Everyday Cook

Mary Campbell, 426 Spring St., addressed Council regarding her application for a new Class C Liquor License for her restaurant Everyday Cook in Kerrytown.

4. Paul Bancel - Financing New City Hall

Paul Bancel, 1115 Kuehnle, addressed Council regarding financing a new City Hall.

5. Janice C. Tice - Sidewalks, Trees and Other Vegetation

Janice C. Tice, 2130 Prairie, requested that Council review or appeal Chapters 49 and 40 of the City Code. She expressed concerns with maintaining the City's easements.

6. Monica Martin - Ann Arbor Police Department

Monica Martin, 2535 Russell St., addressed Council regarding accusations that were made about her and Tabitha Harris in regards to the problems at Maple Meadows. She said that non-residents as well as residents of Maple Meadows have called to complain about parties in Maple Meadows.

7. Tabitha Harris - Housing Commission

Tabitha Harris, 2535 Russell, wanted to clarify statements made by her regarding the problems at Maple Meadows. She said that she would never trample on people's rights and that her issue has been accountability and how the problems are being handled.

8. Tom McParlan - Tom Wall's Hot Dog Stand for Special People

Toim McParlan, 311 Awixa Rd., spoke in support of Tom Wall's Hot Dog Stand for Special People. The hot dog stand allows people with special needs to interact with the public. All of the profits are donated to a charity. He asked that the permit for this hot dog stand be renewed.

9. Mark Dorogi - Sanitary Improvement Charges at 2609 Traver (DS-15)

Mark Dorogi, 2609 Traver, addressed Council regarding the sanitary improvements charges on his property at 2609 Traver Rd. and asked that the Council table the resolution and review the issue in more detail.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 07-0228** An Ordinance to Add a New Section 1:238 to Chapter 8 (Organization of Boards and Commissions) of Title I and to Add a New Chapter 24 to Title I of the Code of the City of Ann Arbor (Public Art Ordinance) (Ord No. ORD-07-47)

The following people spoke in support of the proposed Public Art Ordinance:

*Jim Kern
Jim Curtis
Elaine Simms
Brian Rogers
Margaret Parker
Thomas Partridge*

Enactment No: ORD-07-47

COUNCIL PROPOSED BUSINESS

Councilmember Higgins moved, seconded by Councilmember Kunselman, to reopen the agenda. On voice vote, the Mayor declared the motion carried.

The following items were added to the agenda:

DC-4 Resolution Suspending Temporarily the City's Sidewalk Repair Program for 2008 and Establishing a Taks Force to Study and Make Recommendations for Improvements to the City's Sidewalk Repair Program

DC-5 Resolution to Appoint Councilmember Joan Lowenstein to Planning Commission

COMMUNICATIONS FROM COUNCIL

REPORTS FROM COUNCIL COMMITTEES

A APPROVAL OF COUNCIL MINUTES

A-1 07-0338 Regular Session of October 15 and Special Session of October 22, 2007

A motion was made by Councilmember Greden, seconded by Councilmember Johnson, that the Minutes be Approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

CA-1 through CA-12 moved to the DS Section of the Agenda. See DS-11 through DS-22.

Passed on consent agenda

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

CA-13 07-0287 Resolution Authorizing Street Closing for deLights are Goin' on Downtown Special Event - Friday, November 16, 2007

Enactment No: R-07-510

CA-14 07-0288 Resolution to Approve Amendment No. 1 to the Agreement with Complete Corporate Solutions, Inc. for Professional Services (\$20,000.00 amendment/\$78,800.00 total contract)

Enactment No: R-07-511

CA-15 07-0289 Resolution to Approve a Purchase Order to Azteca Systems for the Purchase of 15 Additional Seat Licenses of Cityworks Enterprise asset Management software and the Renewal of the Annual Cityworks Maintenance and Support Agreement for FY2008 (\$60,785.00)

Enactment No: R-07-512

CA-16 07-0264 Resolution to Accept Board of Insurance Administration Meeting Minutes of September 28, 2007

Enactment No: R-07-513

B ORDINANCE - SECOND READING

- B-1 07-0228** An Ordinance to Add a New Section 1:238 to Chapter 8 (Organization of Boards and Commissions) of Title I and to Add a New Chapter 24 to Title I of the Code of the City of Ann Arbor (Public Art Ordinance) (Ord No. ORD-07-47)

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

Enactment No: ORD-07-47

- DS-1 07-0283** Resolution Authorizing Summary Publication of Ordinance No. ORD-07-47 - Ordinance to Add a New Section 1:238 to Chapter 8 (Organization of Boards and Commissions) of Title I and to Add a New Chapter 24 to Title I of the Code of the City of Ann Arbor (Public Art Ordinance)

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-07-514

C ORDINANCE - FIRST READING

- C-1 07-0270** An Ordinance to Amend Chapter 55, Rezoning of 0.14 Acre from TWP (Township District) to R1D (Single-Family Dwelling District), Powell Property, West Side of Westover Avenue, North of Rhea Street (Lot 71, Westover Hills Subdivision) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-07-48)

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

Enactment No: ORD-07-48

- C-2 07-0291** An Ordinance to Amend Sections 2:4 (Points of Storage) and 2:7 (Solid Waste Facilities) of Chapter 26 of Title II of the Code of the City of Ann Arbor

The matter was deleted from the agenda on 10/30/07. No action was taken.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 07-0285** Resolution Supporting Adoption of the Michigan Renewable Energy Sources Act

Sponsors: Kunselman, Hieftje and Woods

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

Enactment No: R-07-515

- DC-2 07-0350** Resolution to Establish Preserve Areas Within the City Park System

Sponsors: Johnson

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

Enactment No: R-07-516

Added After Newspaper Deadline:

- DC-3 07-0397** Resolution Requesting that the Downtown Development Authority Prepare a Written Recommendation for the Construction of an Underground Parking Garage on the City-Owned South Fifth Avenue Parking Lot

Sponsors: Teall, Greden, Woods, Johnson, Easthope and Rapundalo

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

Enactment No: R-07-517

- DC-4 07-0401** Resolution Suspending Temporarily The City's Sidewalk Repair Program For 2008 And Establishing A Task Force To Study And Make Recommendations For Improvements To The City's Sidewalk Repair Program

Sponsors: Higgins, Rapundalo, Johnson and Kunselman

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

Enactment No: R-07-518

- DC-5 07-0402** Resolution to Appoint Councilmember Joan Lowenstein to Planning Commission

Sponsors: Higgins and Greden

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

Enactment No: R-07-519

DB New Business - Boards and Commissions:

Passed on consent agenda

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

- DB-1 07-0308** Resolution to Approve Bennett/Wahlman Annexation, 0.50 Acre, 1575 Chalmers Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Request for staff to clarify the proper zoning before presenting these items for rezoning.

Enactment No: R-07-520

- DB-2 07-0309** Resolution to Approve Bogdasarian Annexation, 1.79 Acres, 2625 Newport Road (CPC

Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-521

DB-3 07-0310 Resolution to Approve Bonds/Mau Annexation, 0.64 Acre, 370 Rock Creek Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-522

DB-4 07-0311 Resolution to Approve Cares Annexation, 0.73 Acre, 505 Riverview Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-523

DB-5 07-0312 Resolution to Approve Connellan Annexation, 0.52 Acre, 3125 Geddes Avenue (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-524

DB-6 07-0313 Resolution to Approve Dale Annexation, 1.96 Acres, 3175 Glazier Way (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-525

DB-7 07-0314 Resolution to Approve Dazy Annexation, 0.50 Acre, 865 Arlington Boulevard (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-526

DB-8 07-0315 Resolution to Approve Gates Annexation, 0.62 Acre, 442 Huntington Place (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-527

DB-9 07-0316 Resolution to Approve Gilpin Annexation, 0.72 Acre, 402 Orchard Hills Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-528

DB-10 07-0317 Resolution to Approve Gobetti Annexation, 0.44 Acre, 169 Barton Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-529

DB-11 07-0318 Resolution to Approve Gross/Ellsworth Annexation, 1.06 Acres, 422 Huntington Place (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-530

DB-12 07-0319 Resolution to Approve Jokelainen Annexation, 0.50 Acre, 2930 Heatherway (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-531

DB-13 07-0320 Resolution to Approve Lindsay Annexation, 1.96 Acres, 1305 Chalmers and Adjacent Vacant Parcel (CPC Recommendation: Approval - 9 Yeas and 0 Nays).

Enactment No: R-07-532

- DB-14 07-0321** Resolution to Approve McNamara Annexation, 0.47 Acre, 225 Pineview Court (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-533
- DB-15 07-0322** Resolution to Approve Porter/Crispell Annexation, 1.9 Acres, 200 Orchard Hills Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-534
- DB-16 07-0323** Resolution to Approve Rosenblum Annexation, 1.7 Acres, 3451 Geddes Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-535
- DB-17 07-0324** Resolution to Approve Salmeen Annexation, 0.70 Acre, 186 Riverview Court (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-536
- DB-18 07-0325** Resolution to Approve Whittington Annexation, 1.01 Acres, 205 Orchard Hills Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-537
- DB-19 07-0326** Resolution to Approve Yocum Annexation, 0.50 Acre, 2080 Newport Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-538
- DB-20 07-0327** Resolution to Approve Zelnik Annexation, 0.50 Acre, 2060 Newport Road (CPC Recommendation: Approval - 9 Yeas and 0 Nays).
Enactment No: R-07-539

Old Business - Staff:

- D-1 07-0144** Resolution to Approve Industrial Facilities Exemption Certificate Application of Edwards Brothers, Inc.
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.
Enactment No: R-07-540
- D-2 07-0203** Resolution to Transfer Delinquent Sidewalk Improvement Charges to the 2008 City Tax Roll
A motion was made by Councilmember Higgins, seconded by Councilmember Kunselman, that the Resolution be Approved.
A motion was made by Councilmember Higgins, seconded by Councilmember Easthope, that the Resolution be Postponed until February 19, 2008. On a voice vote, the Mayor declared the motion carried.

Postponed until 2/19/08

DS New Business - Staff:

- DS-2 07-0246** Resolution to Approve a Professional Services Agreement with Hubbell, Roth & Clark, Inc. (\$467,601.00) and Establish a Project Design Budget for the West Stadium Boulevard Reconstruction Project (\$580,601.00)
- 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.**
- Enactment No: R-07-541
- DS-3 07-0290** Resolution to Amend the FY08 General Fund Budget by Appropriating \$175,000 for the Purpose of Asbestos Removal and Elevator Security Enhancements at City Hall (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-07-542
- DS-4 07-0247** Resolution to Approve an Agreement with the Michigan Department of Transportation (\$45,200.00) and Appropriate Funds to Establish a Project Budget for the Illuminated Street Name Signs Project (\$98,610.00) (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 with one no-vote made by Councilmember Johnson.**
- Enactment No: R-07-543
- DS-5 07-0337** Resolution to Appropriate Funds and Approve and Authorize an Increase in the Ann Arbor Housing Trust Fund to Assist Low-Income Homeowners with Sidewalk Repairs (\$25,000.00) (8 Voted Required)
- A motion was made by Councilmember Higgins, 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-07-544
- DS-6 07-0250** Resolution to Appropriate Funding for Sanitary Sewer and Water Improvement Charges for Stone School Circle (\$853.13 General Fund) (\$2,934.13 Sewage Disposal System) (8 Votes Required)
- A motion was made by Councilmember Johnson, seconded by Councilmember Greden, 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-07-545
- DS-7 07-0335** Resolution to Approve a Drug Court Grant Program Contract with the Michigan Supreme Court State Court Administrative Office and to Accept and Appropriate Funds When

Received to be Expended Pursuant to that Contract (\$45,000) (8 votes required)

A motion was made by Councilmember Easthope, seconded by Councilmember Johnson, 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-07-546

DS-8 07-0336

Resolution to Approve a Sobriety Court Grant Program Contract with Dawn Farm, Inc. to Provide In-patient and Out-patient Drug Abuse Counseling and Rehabilitation Services to 15th Judicial District Court Defendants (\$45,000.00).

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

Enactment No: R-07-547

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

A motion was made by Councilmember Rapundalo, seconded by Councilmember Easthope, that Council enter into Closed session. On a voice vote, the Mayor declared the motion carried and the meeting recessed at 9:33 p.m.

A motion was made by Councilmember Suarez, seconded by Councilmember Lowenstein, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:26 p.m.

DS-9 07-0332

Resolution to Approve a Project Milestone Extension to the Option Agreement for the Purchase of Land at 350 S. Fifth Avenue

A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Resolution be Approved. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Councilmember Lowenstein, Councilmember Greden, Councilmember Higgins, Councilmember Teall, and Councilmember Woods

Nays: 6 - Mayor Hieftje, Councilmember Johnson, Councilmember Suarez, Councilmember Rapundalo, Councilmember Kunselman, and Councilmember Easthope

Enactment No:

DS-10 07-0334

Resolution Accepting Easement for Public Utilities from the Public Schools of the City of Ann Arbor (Haisley Elementary School) (8 votes Required)

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

Enactment No: R-07-548

DS-11 07-0221

Resolution Authorizing Sanitary Sewer, Water, Storm Sewer, and Road Improvement Charges for 2605 Traver (\$5,285.64)

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

Enactment No: R-07-549

DS-12 07-0222 Resolution Authorizing Sanitary Sewer Improvement Charge for 3700 Riverside Drive (\$2,245.56)

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, with one no vote made by Councilmember Suarez.

Enactment No: R-07-550

DS-13 07-0223 Resolution Authorizing Sanitary Sewer, Water, and Storm Sewer Improvement Charges for 1200 Arlington Boulevard (\$1,332.73)

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

Enactment No: R-07-551

DS-14 07-0224 Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 1827 Robert Street (\$9,964.51)

A motion was made by Councilmember Easthope, seconded by Councilmember Teall, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried, with one no vote made by Councilmember Suarez.

Enactment No: R-07-552

DS-15 07-0256 Resolution Authorizing Sanitary Sewer, Water, Storm Sewer, and Road Improvement Charges for 2609 Traver Blv (\$5,285.64)

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

Enactment No: R-07-553

DS-16 07-0251 Resolution Authorizing Sanitary Sewer Improvement Charge for 210 Westover Avenue (\$4,466.74)

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

Enactment No: R-07-554

DS-17 07-0252 Resolution Authorizing Sanitary Sewer Improvement Charge for 3420 Porter Avenue (\$4,466.74)

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

Enactment No: R-07-555

- DS-18 07-0254** Resolution Authorizing Sanitary Sewer Improvement Charge for 127 S Wagner Road (\$4,835.60)
- 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, with one no vote made by Councilmember Suarez.**
- Enactment No: R-07-561
- DS-19 07-0255** Resolution Authorizing Sanitary Sewer Improvement Charge for 137 S. Wagner Road (\$4,835.60)
- This matter was deleted on 11/5/07. No action taken.*
- DS-20 07-0259** Resolution Authorizing Sanitary Sewer, Water, Storm Sewer, and Road Improvement Charges for 2615 Traver Boulevard (\$5,285.64)
- A motion was made by Councilmember Kunselman, seconded by Councilmember Suarez, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried, with one no vote made by Councilmember Suarez.**
- Enactment No: R-07-556
- DS-21 07-0260** Resolution Authorizing Sanitary Sewer, Water, Storm Sewer, and Road Improvement Charges for 2619 Traver Boulevard (\$5,285.64)
- 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, with one no vote made by Councilmember Suarez.**
- Enactment No: R-07-557
- DS-22 07-0253** Resolution Authorizing Sanitary Sewer Improvement Charge for 3425 Ferry Street (\$3,436.71)
- A motion was made by Councilmember Johnson, seconded by Councilmember Kunselman, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried, with one no vote made by Councilmember Suarez.**
- Enactment No: R-07-558
- DC-6 07-0403** Resolution Approving Amendment to the Employment Agreement between the City of Ann Arbor and Roger Fraser
- A motion was made by Councilmember Higgins, seconded by Councilmember Easthope, that the Resolution be Approved.**
- It was agreed to administratively amend the resolution as follows:**
- ...Whereas, the amendment will provide:**
- days per year; effective July 1, 2007; ...**
- On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-07-559
- DC-7 07-0404** Resolution Approving 5th Amendment to the Employment Agreement between the City of

Ann Arbor and Stephen Postema

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

It was agreed that the resolution would be amended administratively as follows:

...Whereas, the amendment will provide:

- . A 2.75% merit increase to his base annual salary; effective July 1, 2007**
- . A one time market increase of 1.25% equaling \$1,746.25 to his base annual salary; effective July 1, 2007**
- . Increase annual vacation days from 20 to 25 days per year; effective July 1, 2007; ...**

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

Enactment No: R-07-560

E COMMUNICATIONS FROM THE MAYOR

E-1 07-0399 Confirmations

None.

E-2 07-0400 Nominations

Economic Development Corporation Board, Energy Commission

F COMMUNICATIONS FROM CITY ADMINISTRATOR

City Administrator Roger Fraser announced that City Hall will be closed on November 12, 2007 in observance of Veteran's Day. A Work Session is scheduled for November 13, 2007 to discuss the Open Space Plan with Washtenaw Metro Alliance and the Energy Commission will also be updating Council on their projects.

F-1 07-0229 Complus Data Innovations, Inc. Contract Performance

F-2 07-0245 MBIA Investment Portfolio Report, September 2007

F-3 07-0248 Improvement Charges

F-4 07-0292 DDA Provides Assistance to Zaragon Place for the Creation of a Pedestrian Walkway During Construction

F-5 07-0293 DDA Approves the Provision of Additional Parking Spaces for William Street Station and Ann Arbor Hotel to Enable these Projects to Meet Zoning Requirements

F-6 07-0294 Information on Parking Contracts held by the City of Ann Arbor

G COMMUNICATIONS FROM CITY ATTORNEY

City Attorney Stephen Postema announced that he would be going to the Michigan Supreme Court on November 6, 2007. The Domestic Partnership Benefits Case will be argued on that date.

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 Rapundalo, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

- H-1 07-0269** Communication from S.E.M.C.O.G. regarding their regional updates, Vol. 12, No. 20, September 24, 2007 and Vol. 12 No. 21, October 8, 2007
- H-2 07-0295** Communication from the Department of Environmental Quality (DEQ) regarding notice of a public hearing scheduled for November 15, 2007 regarding the the University of Michigan
- H-3 07-0296** Communication from Governor Granholm regarding receipt of City Council's resolution supporting House Bill 4774
- H-4 07-0297** Communication from Hooper Hathaway, P.C. regarding notice of public hearing from the Planning Commission on proposed Hotel Project 202 S. Division Street (File No. 9291c15.06 and .05) - Planning and Development Services
- H-5 07-0304** Communication from Long, Baker & Stringer LLP regarding a proposed Proclamation honoring James P. Frenza proposed by the Economic Development Corp. of Ann Arbor - cc. Mayor Hieftje
- H-6 07-0305** Communication from Long, Baker & Stringer LLP, regarding the 2007 Annual Report and balance sheet of the Economic Development Council of Ann Arbor

I The following minutes were recieved for file:

- I-1 07-0240** Downtown Area Citizens Advisory Council Report to the DDA, September 5, 2007
- I-2 07-0241** Ann Arbor Downtown Development Authority Meeting Minutes Wednesday, September 5, 2007
- I-3 07-0242** Downtown Area Citizens Advisory Council Report to the DDA, July 11, 2007
- I-4 07-0243** Ann Arbor Downtown Development Authority Meeting Minutes Wednesday, July 11, 2007
- I-5 07-0244** Ann Arbor Downtown Development Authority Annual Meeting Minutes Wednesday, July 11, 2007
- I-6 07-0249** City Election Commission - July 19, and September 7, 2007

- I-7 **07-0278** Ann Arbor Transportation Authority Board - September 19, 2007
- I-8 **07-0284** Park Advisory Commission - July 17, 2007
- I-9 **07-0286** Park Advisory Commission - August 21, 2007
- I-10 **07-0298** Sign Board of Appeals Minutes - February 14, 2006
- I-11 **07-0299** City of Ann Arbor Employees Retirement System Minutes - September 20, 2007
- I-12 **07-0300** City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes - September 20, 2007

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

FAREWELLS

Outgoing Councilmembers Woods and Johnson gave farewell speeches and were presented with words and gifts of appreciation from the remaining members of Council.

ADJOURNMENT

A motion was made by Councilmember Johnson, seconded by Councilmember Woods, that the meeting be Adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:55 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, NOVEMBER 5, 2007, 7:30 P.M.
REPLAYS: TUESDAY, NOVEMBER 6, 2007, 10:00 A.M.
FRIDAY, NOVEMBER 9, 2007, 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.