

City of Ann Arbor

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



Meeting Minutes - Final

Monday, January 3, 2011

7:00 PM

Washtenaw County Administration Building (Commissioners
Room), 220 N. Main Street
City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:10 p.m. in the Washtenaw County Board of Commissioners Room, 220 N. Main St.

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: 10 - John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Carsten Hohnke

Absent: 1 - Councilmember Mike Anglin

APPROVAL OF AGENDA

A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, 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 CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Tony Keene - Medical Marijuana (C-1)

Tony Keene, 240 Crest, expressed concern with the proposed Marijuana Ordinance as it relates to dispensaries. He urged Council to think about the definition of a dispensary and reword the ordinance.

2. Dennis Hayes - Medical Marijuana (C-1)

Dennis Hayes, 120 N. Fourth Ave., asked that Council defer approval of the proposed marijuana ordinance at first reading. He suggested Council organize a committee in order to obtain public input regarding the ordinance prior to any further action.

3. Robin Schneider - Medical Marijuana (C-1)

Robin Schneider, 2010 E. Michigan Ave., Lansing, MI., a medical marijuana advocate in the City of Lansing, expressed concerns with the home occupation portion of the ordinance. She felt that creating a named list of distributors would be a direct violation of the State law.

4. Rhory Gould - Temporary Moratorium (C-1)

Rhory Gould, 5537 Overbrook, expressed concern with the proposed Medical Marijuana Ordinance in its current written form.

5. Charmie Gholson - Medical Marijuana (C-1)

Charmie Gholson, 2729 Cumberland, spoke in opposition to the proposed Medical Marijuana Ordinance.

6. Matthew Abel - Medical Marijuana (C-1)

Matthew Abel, 2930 E. Jefferson, addressed Council regarding the proposed Medical Marijuana Ordinance. He said that limiting dispensary licenses to 15 is unnecessary. He expressed concern about a proposed requirement for landlords to consent in writing to dispensary operations in their buildings, due to the exposure to liability through forfeiture.

7. Rick Thompson - Medical Marijuana (C-1)

Rick Thompson, 8092 Sterling, Centerline, MI, editor of Michigan Medical Marijuana Magazine, spoke in opposition to the proposed Medical Marijuana Ordinance as currently written. He asked that the portion of the ordinance regarding the caregiver registration and inspections be stricken from the ordinance.

8. Chuck Ream - Medical Marijuana (C-1)

Chuck Ream, 1911 Packard St., spoke in opposition to the proposed Medical Marijuana Ordinance as currently drafted, due to the additional restrictions proposed that are not required under the current State law.

9. Brandy Zink - Medical Marijuana (C-1)

Brandy Zink, 2930 E. Jefferson, Detroit, MI, said that the proposed ordinance is in violation of the Michigan Medical Marijuana Act. She asked that Council consider other sources of information regarding medical marijuana besides the Michigan Municipal League and the DEA. She urged Council to discuss medical marijuana licensing with other cities who have successfully implemented ordinances.

10. Henry Herskovitz - Palestine

Henry Herskovitz, 404 Mark Hannah Pl., addressed Council regarding Palestine.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER BRIERE

Councilmember Briere asked if a Council Work Session had been scheduled to discuss the proposed Fuller Road Station.

City Administrator Roger Fraser replied that Fuller Station would be discussed at the January 10, 2011 Work Session.

COUNCILMEMBER TAYLOR

Councilmember Taylor updated the public on the progress of the Mutually Beneficial Committee. The committee separated the parcel by parcel process and the parking amendment process. The DDA would be looking at the parcel by parcel process on June 5, 2011 and a resolution would also come before Council on January 18.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR**TRASH PICK-UP**

City Administrator Roger Fraser said that the City would observe the Martin Luther King Jr., Holiday on January 17, 2011, and that trash pickup and recycling services would resume as normal that week.

AATA UPDATE

The Ann Arbor Transportation Authority Board (AATA) will hold a series of public meetings on February 1, 2011, in the Downtown District Library from 6-8 p.m., to discuss the Moving You Forward County Wide Transit Planning Process.

HAZARDOUS MATERIAL INCIDENT

Mr. Fraser announced that the City received a call of a mercury spill at a residence in Ann Arbor. The mercury came from one of two grandfather clocks located in the residence. The clock fell and broke spilling mercury in the home. The spill was cleaned up without incident with the help of the Fire Department and the US EPA National Response Center.

Mr. Fraser explained that if residents have a mercury spill in their home, they should call 911 for assistance. The mercury can emit hazardous vapors so residents should evacuate while they wait for emergency responders.

POLICE/COURT BUILDING

Mr. Fraser said that most of the Police operations have been relocated to the new Justice Center building and that the remainder of the 15th District Court operations are being relocated to the new facility by the end of January 2011.

The east side of the 2nd floor of the Larcom Building is closed due to the abatement of asbestos in the ceiling. Staff will continue to have access to the 2nd floor via the back elevators for storage and vending purposes. The Clerk's Office, Council Chamber and workroom, and public bathrooms will not be available to the public or staff during the asbestos abatement on the 2nd floor beginning January 7, 2011.

CITY'S ANNUAL AUDIT STATEMENT

The City's Annual Audit Statement was submitted to the State last week and is now available for viewing online.

COUNCIL MAILBOXES

Mr. Fraser informed City Council that their mailboxes have been moved to the 3rd floor during the 2nd floor asbestos abatement project.

NEW DIRECTOR OF PENSION SYSTEM

Mr. Fraser announced that Nancy Walker has accepted the Pension Director position with the City. Ms. Walker started her new position on January 3, 2011.

EARLY RETIREMENT FEDERAL DRUG SUBSIDY

Administrator Fraser reported that Human Resources recently applied for an Early Retirement Drug Subsidy. The Federal Government provides assistance to local governments who have early retirement programs and experience the increased cost of employee health care as a consequence. The City received a reimbursement check in excess of \$289,000.00 for that purpose from the Federal Government.

WORK SESSION

A work session has been scheduled for January 8, 2011 for a follow-up discussion from the Council retreat in December 2010 regarding city service delivery. Mr. Fraser asked that Council submit their ranking of city services by the end of the night so that staff has time to review and rank the results. The meeting will take place at the Wheeler Center beginning at 8 a.m.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [10-0750](#) An Ordinance to Amend Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor Regarding Revisions to Area, Height, and Placement Regulations (CPC Recommendation: Approval - 9 Yeas, 0 Nays) (Ordinance No. ORD-10-34)

A public hearing was conducted on the proposed Ordinance to Amend Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor Regarding Revisions to Area, Height, and Placement Regulations. Notice of public hearing was published December 16, 2010. There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

- PH-2 [10-1228](#) An Ordinance to Amend Section 10:1a of Chapter 126, Traffic (Adoption of Motor Vehicle Code and Uniform Traffic Code), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-39)

A public hearing was conducted on the proposed Ordinance to Amend Section 10:1a of Chapter 126, Traffic (Adoption of Motor Vehicle Code and Uniform Traffic Code), of Title X of the Code of the City of Ann Arbor. Notice of public hearing was published December 30, 2010.

A member of the public spoke in support of the proposed ordinance and the adoption

of State law.

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

Held and Closed

PH-3 [10-1307](#)

Resolution to Approve Fire Suppression and Alarm Fees in the Construction Fund within the Planning and Development Services Unit

A public hearing was conducted on the proposed Resolution to Approve Fire Suppression and Alarm Fees in the Construction Fund within the Planning and Development Services Unit. Notice of public hearing was published December 30, 2010. There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

PH-4 [10-1331](#)

Edward Brothers, Inc. Application for Industrial Facilities Exemption Certificate under section 7a of Act 198

A public hearing was conducted on the proposed Edward Brothers, Inc. Application for Industrial Facilities Exemption Certificate under section 7a of Act 198. Notice of public hearing was published December 16, 2010. There being no one present for comment, the Mayor declared the hearing closed.

Held and Closed

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 [10-1340](#)

Regular Session of December 20, 2010

A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Regular Session Minutes of 12/20/10 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 Kunselman, seconded by Councilmember Derezinski, that the following Consent Items be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA-1 [10-1235](#)

Resolution Authorizing a Purchase Order to Washtenaw County for the City of Ann Arbor's Share of the Maintenance of the Shared 800 MHz Simulcast System (\$94,650.00)

Enactment No: R-11-001

CA-2 [10-1290](#)

Resolution to Approve Purchase Order with Parkson Corporation for

Bar Screen Replacement Parts at the Wastewater Treatment Plant
(\$39,007.00)

Enactment No: R-11-002

B ORDINANCES - SECOND READING

- B-1** [10-0750](#) An Ordinance to Amend Chapter 55 (Zoning) and Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor Regarding Revisions to Area, Height, and Placement Regulations (CPC Recommendation: Approval - 9 Yeas, 0 Nays) (Ordinance No. ORD-10-34)

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

- DS-1** [10-0748](#) Resolution Authorizing Summary Publication of Ordinance No. ORD 10-34 An Ordinance to Amend Chapter 55 (Zoning) and 59 (Off-street Parking) of Title V of the Code of the City of Ann Arbor, by adding amendments that primarily pertain to Area, Height, and Placement standards

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

Enactment No: R-11-003

- B-2** [10-1228](#) An Ordinance to Amend Section 10:1a of Chapter 126, Traffic (Adoption of Motor Vehicle Code and Uniform Traffic Code), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-39)

A motion was made by Councilmember Derezinski, seconded by Councilmember Hohnke, that the ordinance be adopted on second reading.

Enactment No: ORD-10-39

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

Section 1, (10:1.a)(1) effective January [1] to January 13, 2011

Section 1, (10:1a)(2) Effective January [1] to January 13, 2011.

... Section 4, The Provisions of the Michigan Vehicle Code [and Michigan Uniform Traffic Code for Cities, Townships and Villages] ...

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

Note: Brackets [] Indicate deleted language.

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

Enactment No: ORD-10-39

C ORDINANCES - FIRST READING

C-1 [10-1249](#) An Ordinance to Add a New Chapter 71 to Title VI (Medical Marijuana Business and Home Occupation Licenses) of the Code of the City of Ann Arbor

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the ordinance be adopted at first reading.

[10-1249](#) An Ordinance to Add a New Chapter 71 to Title VI (Medical Marijuana Business and Home Occupation Licenses) of the Code of the City of Ann Arbor

A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Ordinance be amended as follows:

Remove 6:418 in its entirety. Replace all references to cultivation facilities, dispensaries, and/or home occupations with the phrase "cultivation facilities or dispensaries".

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

Yeas: 6 - Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Smith and Councilmember Taylor

Nays: 4 - Councilmember Rapundalo, Councilmember Higgins, Councilmember Derezinski and Councilmember Hohnke

Absent: 1 - Councilmember Anglin

Councilmember Briere moved, seconded by Councilmember Rapundalo, to suspend Council Rules regarding speaking time to allow more discussion on this item. On a voice vote, the mayor declared the motion carried.

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Ordinance be amended as follows:

6:415., Subsection 4, Substitute with the following:

(4) THE FIRST YEAR'S LICENSES SHALL BE CAPPED AT A NUMBER 10% HIGHER THAN THE LICENSES APPLIED FOR IN THE FIRST 60 DAYS BUT NOT MORE THAN 20 DISPENSARIES AND 10 CULTIVATION FACILITIES LICENSES. ANY LICENSE TERMINATED DURING THE LICENSE YEAR RETURNS TO THE CITY FOR REINSURANCE.

It was considered friendly to add the following to the first sentence: "...BUT NOT MORE THAN 20 DISPENSARIES AND 10 CULTIVATION FACILITIES LICENSES."

It was considered friendly to delete the word "facility" before "licenses in the first line.

On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 8 - Hieftje, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 2 - Councilmember Rapundalo and Councilmember Higgins

Absent: 1 - Councilmember Anglin

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Ordinance be amended as follows:

Add New Section:

(7) THE CITY COUNCIL WILL ESTABLISH THE LICENSING BOARD TO CONSIST OF ONE MEMBER OF COUNCIL, ONE PHYSICIAN, ONE MEDICAL MARIJUANA CAREGIVER; THESE ARE MAYORAL APPOINTMENTS. THE BOARD WILL ANNUALLY REVIEW THE LICENSING CRITERIA, THE NUMBER OF LICENSES AUTHORIZED, ESTABLISH THE LICENSE FEE STRUCTURE, AND RECOMMEND APPROVAL OF LICENSE APPLICATIONS.

It was considered friendly to change Three Members of Council to One Member of Council.

It was considered friendly to add following to the second sentence: "...the licensing criteria, THE NUMBER OF LICENSES AUTHORIZED, establish the..."

**It was considered friendly to remove the following sentence:
"ANY CHANGES TO THE NUMBER OR REQUIREMENTS FOR LICENSING WILL DERIVE FROM RECOMMENDATIONS FROM THIS COMMITTEE AND BE MADE TO CITY COUNCIL FOR THEIR APPROVAL."**

Replace Section 2 with a new Section 2 (last page) that reads:

Section 2. THE MEDICAL MARIJUANA LICENSING BOARD SHALL REVIEW THE OPERATION OF THE PROVISIONS OF THIS SECTION AND RECOMMEND CHANGES, IF ANY, TO CITY COUNCIL THAT THE BOARD DEEMS APPROPRIATE ON OR BEFORE JANUARY 31, 2012, OR SUCH OTHER DATE AS COUNCIL MAY SET BY RESOLUTION.

ALL CAPS INDICATE NEW LANGUAGE.

On a roll call, the vote was as follows with the Mayor declaring the motion carried:

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

Nays: 0

Absent: 1 - Councilmember Anglin

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Ordinance be amended as follows:

In 6:415., subsection 2, remove reference to [misdemeanor involving a

controlled substance.] Remove this phrase also from 6:417, subsection 2(g).

Mayor Hieftje proposed a friendly amendment to add the following after the word "felony": "...in the last ten years..." The motion was withdrawn.

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

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Ordinance be amended as follows:

In 6:417, subsection 2(k), insert complete language from MMC 333.26422(C), to wit:

THE MICHIGAN MEDICAL MARIHUANA ACT ACKNOWLEDGES THAT "ALTHOUGH FEDERAL LAW CURRENTLY PROHIBITS ANY USE OF MARIHUANA EXCEPT UNDER VERY LIMITED CIRCUMSTANCES, STATES ARE NOT REQUIRED TO ENFORCE FEDERAL LAW OR PROSECUTE PEOPLE FOR ENGAGING IN ACTIVITIES PROHIBITED BY FEDERAL LAW. THE LAWS OF ALASKA, CALIFORNIA, COLORADO, HAWAII, MAINE, MONTANA, NEVADA, NEW MEXICO, OREGON, VERMONT, RHODE ISLAND, AND WASHINGTON DO NOT PENALIZE THE MEDICAL USE AND CULTIVATION OF MARIHUANA. MICHIGAN JOINS IN THIS EFFORT FOR THE HEALTH AND WELFARE OF ITS CITIZENS." SEE, MCL 333.26422(C). IF YOU HAVE ANY QUESTIONS OR CONCERNS PLEASE CONSULT WITH YOUR ATTORNEY.

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

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Ordinance be amended as follows:

In section 6:417, subsection 3, line 1: replace [may] with SHALL and [will] to SHALL in same section.

On a voice vote, the Mayor declared the motion carried with one no-vote made by Councilmember Higgins.

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Ordinance be amended as follows:

In 6:419, remove subsection 4(a) and delete reference in subsection 4(d) to the value of the marijuana on the package label.

The amendment was withdrawn and referred to the City Attorney for further review.

A motion was made by Councilmember Teall, seconded by Councilmember Rapundalo, that the Ordinance be postponed to the City Council and should be returned by 1/18/2011. It was further moved that the related zoning ordinance would be postponed to the first meeting in February. On a voice vote, the Mayor declared the motion carried.

RECESS

Mayor Hieftje declared a recess at 9:55 p.m. and reconvened the meeting at 10:12 p.m.

Chapter 18, Employees Retirement System, Title I, of the Code and Adding a New Chapter 18, Employees Retirement System, Title I of Said Code (Ordinance No. ORD-11-01)

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Ordinance be approved on First Reading and be returned by 1/18/2011 for second reading. On a voice vote, the Mayor declared the motion carried.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

None.

DB New Business - Boards and Commissions:

None.

DS New Business - Staff:

- DS-2** [10-1295](#) Resolution to Approve a Contract with Washtenaw County for Weapons Screening Services in the Ann Arbor Municipal Center for the 15th Judicial District Court (\$187,000.00)
- 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-11-004
- DS-3** [10-1307](#) Resolution to Approve Fire Suppression and Alarm Fees in the Construction Fund within the Planning and Development Services Unit
- A motion was made by Councilmember Derezinski, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-005
- DS-4** [10-1238](#) Resolution Accepting Easement for Traffic Control Devices from The Regents of the University of Michigan (corner E. Medical Center Drive / E. Hospital Drive) **(8 Votes Required)**
- A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.**
- Enactment No: R-11-006
- DS-5** [10-1140](#) Resolution to Approve Amendment No. 3 to the Professional Services

Agreement with CDM Michigan, Inc. for the Footing Drain Disconnection Program (\$1,384,350.00) and to Appropriate Funds (\$1,275,080.00) (**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 unanimously, thus satisfying the eight-vote requirement.

Enactment No: R-11-007

DS-6 [10-1320](#)

Resolution Accepting Easement for Public Utilities from Williamsburg Properties, a Michigan co-partnership (**8 Votes Required**)

A motion was made by Councilmember Taylor, seconded by Councilmember Smith, 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-11-008

E COMMUNICATIONS FROM THE MAYOR

E-1 [10-1324](#) 12/20/10 Appointments & Nominations

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

COMMUNICATIONS FROM COUNCIL

None.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

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

H The following communications were referred as indicated:

None.

I The following minutes were received for file:

Passed on consent agenda

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

- I-1 [10-1150](#) Ann Arbor Public Art Commission Minutes - November 9, 2010
- I-2 [10-1294](#) Recreation Advisory Commission Minutes - November 2, 2010
- I-3 [10-1304](#) Sign Board of Appeals Minutes - September 8, 2009
- I-4 [10-1312](#) Washtenaw Area Transportation Study (W.A.T.S.) Meeting Minutes of November 17, 2010
- I-5 [10-1319](#) Taxicab Board Meeting Minutes - October 28, 2010
- I-6 [10-1325](#) City of Ann Arbor Employees' Retirement System Minutes - November 18, 2010
- I-7 [10-1326](#) City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes - November 18, 2010

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

None.

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

A motion was made by Councilmember Taylor, seconded by Councilmember Derezinski, that Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation set forth in MCLA 15.268(E). On a voice vote, the Mayor declared the motion carried and the meeting recessed at 10:23 p.m.

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

Nays: 0

Absent: 1 - Councilmember Anglin

MEETING RECONVENED

A motion was made by Councilmember Taylor, seconded by Councilmember Hohnke, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:39 p.m.

ADJOURNMENT

A motion was made by Councilmember Smith, seconded by Councilmember Hohnke, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:39 p.m.

[11-0046](#)

City Council Emails - January 3, 2011

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JANUARY 3, 2011 7:00 P.M.

**REPLAYS: TUESDAY, JANUARY 4, 2011, 10:00 A.M. AND FRIDAY,
JANUARY 7, 2011 7:30 P.M.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

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

**Jacqueline Beaudry
Clerk of the Council**

**Anissa R. Bowden
Recording Secretary**