

City of Ann Arbor

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



Meeting Minutes

Tuesday, July 6, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Building, 100 N. Fifth Avenue, 2nd Floor

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:11 p.m. in the Guy C. Larcom Jr., Municipal Building, 2nd Floor Council Chambers, 100 N. Fifth Avenue.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Hieftje led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 10 - Mayor 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 Smith, seconded by Councilmember Derezinski, that the Agenda be Approved with the following changes:

Councilmember Teall requested that DC-1 be heard immediately following Public Commentary - Reserved Time.

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

INT INTRODUCTIONS

INT-1 10-0673 Presentation of Golden Paintbrush Awards for 2010 - Jean Borger

Margaret Parker presented the Golden Paintbrush awards. Recipients included the University of Michigan Hospital Transplant Team Memorial, Abracadabra Jewelry Store and the citizen award to Tamara Real of the Arts Alliance. A copy of the presentation is on file in the City Clerk's Office.

INT-2 10-0604 NAP/ Adopt-a-Park Program Volunteer of the month proclamation

Mayor Hieftje read a proclamation in honor of Carrie Hatcher-Kay for her work with the Natural Area Preservation and Adopt-A-Park programs. A copy of the proclamation is on file in the City Clerk's Office.

INT-3 10-0683 Proclamation for Huron River Days

Mayor Hieftje read a proclamation in honor of Huron River Day on July 11, 2010, noting this is the 30th Anniversary of the event. The organizers of the event were present to accept the proclamation and update Council on the plans for the event. A copy of the proclamation is on file in the City Clerk's Office.

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**

Present: 9 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Carsten Hohnke
Absent: 2 - Councilmember Marcia Higgins and Councilmember Mike Anglin

1. Jasmine Franco (DC-1)

Jasmine Franco, a Huron High School graduate, spoke in support of DC-1.

2. Blaine Coleman (DC-1)

Blaine Coleman expressed his support for DC-1, but questioned how the Council could support this resolution, while ignoring Palestine.

3. Mozhgan Savabieasafahni (DC-1)

Mozhgan Savabieasafahni questioned how the Council could object to Arizona's racist law while ignoring the Palestinians.

4. Max Heirich (DC-1)

Max Heirich, 1640 Broadway, spoke in support of DC-1. He urged Ann Arbor to take leadership on this issue.

5. Julie Grand - Fuller Road Station (F-2)

Julie Grand, Park Advisory Commission Chair, reminded Council about item F-2, stating that this resolution was approved unanimously by PAC. She urged Council to review the information.

6. Mary Anne Perrone (DC-1)

Mary Anne Perrone, 1120 Brooks, urged Council to support DC-1. She expressed concern about the rights of citizens in Arizona under this law.

7. **Mary Bejian (DC-1)**

Mary Bejian, Deputy Director of American Civil Liberties Union in Michigan, spoke in support of DC-1. She clarified that the law is written requiring law enforcement to check citizenship. She stated the ACLU is certain that this law is unconstitutional.

8. **Vivianne Schnitzer (DC-1)**

Vivianne Schnitzer spoke in support for DC-1.

9. **Laura Sanders (DC-1)**

Laura Sanders, 718 Daniel Street, spoke in support of DC-1. She expressed concern regarding racial profiling that may already be taking place.

10. **Samantha Nawrozki (DC-1)**

Samantha Nawrozki, a UM student, spoke in support for DC-1. She stated residents in Ann Arbor have been affected by the Arizona law.

Alternates:1. **Charo Ledon (DC-1)**2. **Morris Taber (DC-1)**

DC-1 10-0688 A Resolution Urging Repeal of Arizona Senate Bill 1070 as amended by House Bill 2162, "Support Our Law Enforcement and Safe Neighborhoods" Act

Sponsors: Briere and Smith

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the Resolution be Approved. On a roll call, the vote was as follows with the Mayor declaring the motion carried

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

Nays: 1 - Councilmember Rapundalo

Absent: 2 - Councilmember Higgins and Councilmember Anglin

RECESS

The Mayor called a recess at 8:13 p.m. and reconvened the meeting at 8:23 p.m.

COMMUNICATIONS FROM COUNCIL*COUNCILMEMBER BRIERE*

Councilmember Briere asked Chief Jones to clarify the City's position regarding ICE arrests in Ann Arbor. Chief Jones responded that the previous public speaker may have been referring to arrests made outside the City limits. He assured Council that the Ann Arbor Police have not participated in racial profiling and ICE raids.

COMMUNICATIONS FROM THE CITY ADMINISTRATOR*HURON RIVER DAYS*

City Administrator Roger Fraser updated the Council further regarding the July 11 Huron River Days event this Sunday. He urged residents to attend and thanked City staff, volunteers and sponsors for their participation in this event.

SINGLE STREAM RECYCLING

Single stream recycling in Ann Arbor began this week. Residents no longer need to separate paper and plastics. Old containers can be returned to the Recycle Center, used for future recycling or returned in the new bins.

HOME DEPOT GRANTS

The City has the opportunity to apply for two \$500,000 grants from Home Depot. The City is applying for a grant in partnership with the University of Michigan to make rental housing more sustainable.

RAINSTORMS

City Administrator Fraser stated the City is reviewing the impacts of the recent rainstorms. He stated sanitary sewer modeling is being conducted and staff is also reviewing road damage and determining where best to make repairs.

CONSTRUCTION

City Administrator Fraser updated Council on several construction projects in the City, including the Stadium Bridge grant proposals, Geddes Road resurfacing and Broadway Street resurfacing.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- Present:** 10 - Mayor 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

PH-1 10-0441

An Ordinance to Amend Chapter 55 (Zoning) Regarding Permitted Principal Uses in the PL (Public Land) Zoning District (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed amendment to Chapter 55 (Zoning) Regarding Permitted Principal Uses in the PL (Public Land) Zoning District. Notice of public hearing was published June 24, 2010.

John Satarino, former chair of PAC, spoke in opposition.

Gwen Nysteun, 1616 Olivia, expressed concern about the uses that might be allowed under the PL zoning with these changes.

Rita Mitchell, 621 Fifth Street, spoke in opposition, stating this change would allow a taking of parkland.

Brad Mikus, 3202 Chelsea Circle, encouraged Council to include examples of what a "transportation facility" could be, which would be consistent with other sections of the ordinance.

John Floyd, 519 Sunset Road, spoke in opposition to the proposed ordinance changes just to allow the University of Michigan to have a parking structure on City land.

Beverly Strassman, 545 S. Fifth Avenue, spoke in opposition to the proposed ordinance.

Thomas Partridge, Scio Township resident, spoke in opposition.

Seeing no further comment, the Mayor declared the hearing closed.

PH-2 10-0513

An Ordinance to Amend Section 5:131 of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Fee Reimbursement Policy (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed amendment to Chapter 57, Section 5:13, (Subdivisions and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Fee Reimbursement Policy. Notice of public hearing was published June 24, 2010.

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

PH-3 10-0515

An Ordinance to Amend Section 5:136(2) of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Requirements for Display of Plans Under Review (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

A public hearing was conducted on the proposed amendment to Chapter 57, (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Requirements for Display of Plans Under Review. Notice of public hearing was published June 24, 2010.

Thomas Partridge spoke about the ordinance and the need for more transparency.

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

PH-4 10-0562

An Ordinance to Amend Chapter 103 (Historic Preservation) by Adding Section 8:425.15, the South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City of Ann Arbor

A public hearing was conducted on the proposed amendment to Chapter 103 (Historic Preservation) by Adding Section 8:425.15, the South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City of Ann Arbor. Notice of public hearing was published June 24, 2010.

The following people spoke in support of the proposed ordinance:

Tom Whitaker, 444 S. Fifth, member of the Fourth and Fifth Historic District Study committee

Kristi Gilbert, study committee member

Tom Luczak, 438 S. Fifth

A member representing the Michigan Historic District Society urged Council to preserve this area.

An unknown resident urged unanimous support.

Brad Mikus, 3202 Chelsea Circle, stated this is bad public policy, but still expressed support.

Ellen Ramsburgh, 1503 Cambridge, stated historic districts can be a tool for the City. Susan Wineberg, 712 E. Ann, stated the Old Fourth Ward has improved since becoming a historic district.

Ethel Potts, 1014 Elder, stated the many benefits of being in a historic district, including tax credits.

Chris Crockett, 506 E. Kingsley

John Floyd, 519 Sunset, urged Council to consider expanding the district boundaries.

Rita Mitchell, 621 Fifth, spoke in support and urged Council to expand the boundary.

Anne Eisen, 442 S. Fourth, would like the entire Germantown neighborhood included in the district.

Ray Detter, 120 N. Division, Apt. 1

Graham Miles, property owner in Germantown, stated he would like to have his homes included in the district.

Susan Whitaker, 444 S. Fifth Avenue, noted that Council set the study committee geographic boundaries.

Pat McCauley, chair of study committee

The following people spoke in opposition of the proposed ordinance:

Claudius Vincenz, 545 S. Fifth, spoke in opposition, stating that the most significant properties in Germantown were not included in the proposed district.

Scott Munzel, representing Fifth Avenue Partnership, spoke in opposition, stating that the proposed ordinance is not legal.

Jane Milage, property owner and investor in the proposed area

Betsy deParry, property owner and developer, expressed concerns regarding the reasons for the creation and the proposed boundaries.

Richard Jacobson, 538 S. Fifth, urged Council to include the surrounding neighborhood in the district.

Thomas Partridge, Scio Township resident

Alex deParry, developer and property owner, spoke in opposition stating the district does not meet State guidelines.

Beverly Strassman, 545 S. Fifth, spoke in opposition to the proposed ordinance, due to its exclusion of the most significant block of Germantown.

Marianne Zorza, 538 S. Fifth, urged Council to include the surrounding neighborhood in the district.

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

PH-5 10-0600

Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of 2311 Green Road - Green Road Associates

A public hearing was conducted on the proposed Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of Green Road. Notice of public hearing was published June 24, 2010.

Brad Mikus, 3202 Chelsea Circle, expressed concerns regarding the public hearing process.

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

PH-6 10-0651

Resolution Approving Glacier Hills, Inc. Project Plan

A public hearing was conducted on the proposed Resolution approving Glacier Hills, Inc. Project Plan. Notice of public hearing was published June 24, 2010.

Pete Long, representing the Economic Development Corporation, was available to answer any questions of Council.

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

RECESS

Mayor Hieftje declared a recess at 10:10 p.m. and reconvened the meeting at 10:27 p.m.

COMMUNICATIONS FROM COUNCIL

None.

A APPROVAL OF COUNCIL MINUTES

A-1 10-0662 June 21, 2010 Regular Session

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

CA-1 10-0559

Resolution to Ratify Emergency Purchases from Jack Doheny Supplies, Inc., and to Award a Purchase Order to Jack Doheny Supplies, Inc., for Vactor Repairs (\$70,000.00)

CA-2 10-0573 Resolution to Approve Michigan Department of Transportation Performance Resolution for Governmental Agencies

B ORDINANCES - SECOND READING

B-1 10-0441 An Ordinance to Amend Chapter 55 (Zoning) Regarding Permitted Principal Uses in the PL (Public Land) Zoning District (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

Councilmember Rapundalo moved, seconded by Councilmember Smith, that the Ordinance be adopted on Second Reading.

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

5:10.13. PL Public Land District.

(h) [Municipal airports] TRANSPORTATION FACILITIES, SUCH AS MUNICIPAL AIRPORTS, RAIL STATIONS, BUS STATIONS , BICYCLE CENTERS, AUTO AND BICYCLE PARKING FACILITIES,

**Brackets indicate deleted language.
ALL CAPS indicate new language.**

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

The question being, a motion made by Councilmember Rapundalo, seconded by Councilmember Smith, that the Ordinance be Adopted as Amended. On a voice vote, the Mayor declared the motion carried.

B-2 10-0513 An Ordinance to Amend Section 5:131 of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Fee Reimbursement Policy (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

B-3 10-0515 An Ordinance to Amend Section 5:136(2) of Chapter 57 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Requirements for Display of Plans Under Review (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

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

B-4 10-0562 An Ordinance to Amend Chapter 103 (Historic Preservation) by Adding Section 8:425.15, the South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City of Ann Arbor

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the ordinance be adopted at Second Reading.

RECESS

Mayor Hieftje called a recess at 10:50 p.m. and the meeting reconvened again at 10:52 p.m.

SUSPEND THE RULES

A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that Council Suspend the Rules regarding Closed Session after 11:00 p.m. (Rule 1). On a voice vote, the Mayor declared the motion carried.

10-0562

An Ordinance to Amend Chapter 103 (Historic Preservation) by Adding Section 8:425.15, the South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City of Ann Arbor

The question being, a motion by Councilmember Hohnke, seconded by Councilmember Teall, that the Ordinance be Adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated.

Yeas: 4 - Mayor Hieftje, Councilmember Kunselman, Councilmember Briere and Councilmember Hohnke

Nays: 6 - Councilmember Rapundalo, Councilmember Higgins, Councilmember Teall, Councilmember Smith, Councilmember Derezinski and Councilmember Taylor

Absent: 1 - Councilmember Anglin

SUSPEND THE RULES

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that under Rule 19, the Council Rules be Suspended regarding Rule 12 "on the prevailing side" to allow Councilmember Rapundalo to request reconsideration of the Heritage Row PUD Zoning. On roll call, the vote was as follows, with the Mayor declaring the motion carried.

Yeas: 7 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Higgins, Councilmember Teall, Councilmember Smith, Councilmember Derezinski and Councilmember Taylor

Nays: 3 - Councilmember Kunselman, Councilmember Briere and Councilmember Hohnke

Absent: 1 - Councilmember Anglin

10-0709 Motion for Reconsideration of the June 21, 2010 Vote that Defeated an Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling) to PUD (Planned Unit Development), Heritage Row PUD, 407-437 S. Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays) (Ordinance No. 10-13) (8 Votes Required)

Sponsors: Rapundalo

A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that Council reconsider the June 21, 2010 Vote that Defeated an Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling) to PUD (Planned Unit Development), Heritage Row PUD, 407-437 S. Fifth Avenue. On a roll call, the vote was as follows with the Mayor declaring the motion carried.

Yeas: 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Higgins, Councilmember Teall, Councilmember Smith, Councilmember Derezinski and Councilmember Taylor

Nays: 2 - Councilmember Briere and Councilmember Hohnke

Absent: 1 - Councilmember Anglin

10-0253 An Ordinance to Amend Chapter 55, Rezoning of 1.23 Acres from R4C (Multiple-Family Dwelling) to PUD (Planned Unit Development), Heritage Row PUD, 407-437 S. Fifth Avenue (CPC Recommendation: Approval - 6 Ayes, 2 Nays) (Ordinance No. 10-13) (8 Votes Required)

The question now being, a motion by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Ordinance be Adopted on Second Reading. On a roll call, the vote was as follows with the Mayor declaring the motion defeated, having not satisfied the eight-vote requirement.

Yeas: 7 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Higgins, Councilmember Teall, Councilmember Smith, Councilmember Derezinski and Councilmember Taylor

Nays: 3 - Councilmember Kunselman, Councilmember Briere and Councilmember Hohnke

Absent: 1 - Councilmember Anglin

SUSPEND THE RULES

A motion was made by Councilmember Hohnke, seconded by Councilmember Briere, that under Rule 19, the Council Rules be Suspended regarding Rule 12 "on the prevailing side" to allow Councilmember Hohnke to request reconsideration of the Ordinance to Amend Chapter 103 (Historic Preservation) by Adding Section 87:425.15, the South Fourth and Fifth Avenue Historic District, of Title VIII of the Code of the City of Ann Arbor. On roll call, the vote was as follows, with the Mayor declaring the motion defeated, not meeting the 2/3 vote required.

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

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

Absent: 1 - Councilmember Anglin

RECESS

The Mayor called a recess at 12:15 a.m. and the meeting reconvened at 12:19 a.m.

SUSPEND THE RULES

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that under Rule 19, the Council Rules be Suspended regarding Rule 12 "no question shall a second time be reconsidered" to allow Councilmember Hohnke to request a second reconsideration of the Heritage Row PUD Zoning. On roll call, the vote was as follows, with the Mayor declaring the motion carried.

Note: Councilmember Hohnke withdrew his motion to reconsider the ordinance after the Council Rules were suspended.

Yeas: 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Higgins, Councilmember Teall, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 2 - Councilmember Kunselman and Councilmember Briere

Absent: 1 - Councilmember Anglin

DS-6 10-0657

Resolution Authorizing Summary Publication of Ordinance No. 10-22 - An Ordinance to Amend Chapter 103 (Historic Preservation) of Title VIII of the Code of the City of Ann Arbor, by Adding Section 8:425.15 Establishing the South Fourth and Fifth Avenue Historic District

A clerical error was noted and corrected at the meeting regarding the title of this resolution.

A motion was made by Councilmember Briere, seconded by Councilmember Hohnke, that the Resolution be Approved. On a voice vote, the Mayor declared the motion defeated.

C ORDINANCES - FIRST READING

C-1 10-0571

An Ordinance to Amend Section 5:71(1) of Chapter 55 (Zoning) and Sections 5:121(2), 5:122(3), 5:124(2), and 5:130 (Subdivision and Land Use Control) of Title V of the Code of the City of Ann Arbor Regarding Approval Procedures and Timing (CPC Recommendation: Approval - 7 Yeas and 1 Nay) (Ordinance No. ORD-10-23)

A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Ordinance be Approved on First Reading to the City Council and should be returned by 8/5/2010. On a voice vote, the Mayor declared the motion carried.

- C-2 10-0581** An Ordinance to Amend Chapter 55 (Zoning), Rezoning of .96 Acres from TWP (Township District) to R1A (Single Family Dwelling District), Vasconi Property, Southwest Corner of Geddes Avenue and Arlington Boulevard (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. ORD-10-24)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Rapundalo, that the Ordinance be Approved on First Reading to the City Council and should be returned by 8/5/2010. On a voice vote, the Mayor declared the motion carried.**
- C-3 10-0587** An Ordinance to Amend Chapter 55, Rezoning of 1.52 Acres from TWP (Township District) to (R1A District), Cronin Property, 3612 E. Huron River Drive (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-10-25)
- A motion was made by Councilmember Derezinski, seconded by Councilmember Rapundalo, that the Ordinance be Approved on First Reading to the City Council and should be returned by 8/5/2010. On a voice vote, the Mayor declared the motion carried.**
- C-4 10-0666** An Ordinance to Amend Sections 2:12 and 2:13 of Chapter 26 (Solid Waste Management) of Title II of the Code of the City of Ann Arbor Increasing Fines, Regulating Owner Fine Charge Back to Occupants and Certain Administrative Changes (Ordinance No. ORD-10-26)
- Sponsors:** Taylor and Hieftje
- A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Ordinance be Approved on First Reading to the City Council and should be returned by 7/19/2010. On a voice vote, the Mayor declared the motion carried.**
- C-5 10-0681** An Ordinance to Amend Sections 1:552(14) and Section 1:572(b) of Chapter 18 (Employees Retirement System), Title I of the Code of the City of Ann Arbor to Implement Bargained Changes for Members of Teamsters Deputy Chiefs, Teamsters Local 214, and Teamsters Police Professional Assistants (Ordinance No. ORD-10-27)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Ordinance be Approved on First Reading to the City Council and should be returned by 7/19/2010. On a voice vote, the Mayor declared the motion carried.**
- C-6 10-0609** An Ordinance to Amend Section 10:148 of Chapter 126 (Pedestrian Safety in Crosswalks), of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-28)
- Sponsors:** Hohnke and Hieftje
- A motion was made by Councilmember Hohnke, seconded by Councilmember Rapundalo, that the Ordinance be Approved on First Reading to the City Council and should be returned by 7/19/2010. On a voice vote, the Mayor declared the motion carried.**

D MOTIONS AND RESOLUTIONS

Councilmember Higgins left the meeting at 12:25 a.m.

- Present:** 9 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Margie Teall, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Tony Derezinski, Councilmember Christopher Taylor and Councilmember Carsten Hohnke
- Absent:** 2 - Councilmember Marcia Higgins and Councilmember Mike Anglin

DC New Business - Council:

- DC-2 10-0700** Resolution to Approve a Residential Parking District for the South University Neighborhood Association and Appropriate General Fund Unobligated Fund Balance (\$4,156.00) (8 Votes Required)

Sponsors: Smith and Briere

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

DB New Business - Boards and Commissions:

- DB-1 10-0637** Resolution to Approve Participation Agreement with Ann Arbor Township for the Purchase of Development Rights on the Thomas and Theodore Braun Farm and Appropriate Funds (\$350,752.50) (8 Votes Required)

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

- DB-2 10-0639** Resolution to Approve Amended Budget for the Purchase of Development Rights on the Charles F. and Catherine A. Braun Property (Total Project Budget of \$2,548,667.00) (8 Votes Required)

A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried unanimously with eight members present, thus satisfying the eight-vote requirement.

- DB-3 10-0640** Resolution to Approve Amended Budget for the Purchase of Development Rights on the William B. Gould Property (Total Project Budget of \$482,667.00) (8 Votes Required)

A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried unanimously with eight members present, thus satisfying the eight-vote requirement.

- DB-4 10-0656** Resolution Approving Cooperative Agreement between the United States of America Commodity Credit Corporation and the City of Ann Arbor for the Farm and Ranch Lands Protection Program for the Gilbert L. Whitney Property and to Approve Purchase Agreement and Appropriate Funds in the Amount of \$1,125,592.00 (8 Votes Required)

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

DS New Business - Staff:

- DS-1 10-0600** Resolution Establishing Ann Arbor Industrial Development District 2010-010 for a portion of 2311 Green Road - Green Road Associates
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-2 10-0628** Resolution to Approve Contract with Audia Construction Company for Sidewalk Replacement (Bid ITB 4083) - not to exceed \$350,000.00
- A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-3 10-0590** Resolution to Appropriate Funds and Approve Contract Amendment #9 with FCR LLC for MRF Single Stream Recycling Upgrades and Processing Changes (\$250,000.00) (8 Votes Required)
- A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-4 10-0593** Resolution to Authorize a Change in the Sidewalk Financial Assistance Program for Homeowners with Low Income
- A motion was made by Councilmember Hohnke, seconded by Councilmember Teall, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-5 10-0651** Resolution Approving Glacier Hills, Inc. Project Plan
- A motion was made by Councilmember Derezinski, seconded by Councilmember Rapundalo, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-7 10-0668** Resolution to Approve Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court-Appointed Counsel to Indigent Defendants (\$180,000.00)
- A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**
- DS-8 10-0674** Resolution to Approve the Terms of the Reopener for the Final Year of the July 1, 2007 to June 30, 2011 Collective Bargaining Agreement for Police Deputy Chiefs Unit, Teamsters Local 214
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Derezinski, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried.**

E COMMUNICATIONS FROM THE MAYOR

E-1 10-0647 Appointments - Confirmations

Mayor Hieftje requested confirmation of the following appointment placed on the table of the regular session of June 21, 2010:

Ann Arbor Energy Commission

**Mike Delaney (Re-Appointment)
1541 Covington Dr.
Ann Arbor, MI 48103
Term: July 6, 2010-July 6, 2013**

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

10-0710 Appointments - Confirmations

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

Insurance Board

Councilmember Rapundalo

COMMUNICATIONS FROM COUNCIL

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

F-1 10-0629 Solid Waste Regulations for Single Stream Recycling

F-2 10-0653 Park Advisory Commission Resolution Regarding the Proposed Fuller Road Station

G COMMUNICATIONS FROM THE CITY ATTORNEY

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

H-1 10-0642 Communication from Groundwater & Environmental Services, Inc. regarding notice of Land Use Restrictions - Shell Branded Station #137910 - Systems Planning

- H-2 10-0659** Communication from the State of Michigan Public Service Commission regarding hearing notice for customers of the Detroit Edison Company, Case No. U-16262 scheduled for July 15, 2010 in Lansing Michigan
- H-3 10-0696** Communication from Ann Arbor Charter Township Zoning Board of Appeals regarding a public hearing on July 21, 2010
- H-4 10-0697** Communication from the Department of Energy, Labor & Economic Growth Bureau of Construction Codes regarding notice of public hearing Scheduled for July 20, 2010

I The following minutes were received for file:

- I-1 10-0598** GAC Minutes of May 12, 2010
- I-2 10-0614** Public Market Advisory Commission Minutes - May 4, 2010
- I-3 10-0646** Ann Arbor Housing Commission Meeting Minutes - May 19, 2010
- I-4 10-0655** Cable Communications Commission Meeting Minutes March 23, 2010
- I-5 10-0660** Council Administration and Labor Committee meeting minutes of June 15, 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 Briere, that the meeting adjourn for Closed Session under the Open Meetings Act, including but not limited to pending litigation, and attorney client privileged communications set forth or incorporated in MCLA 15.268 (C), (E) and (H). On a roll call, the Mayor declared the motion carried as follows and the meeting recessed at 12:47 a.m.

Yeas: 9 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Teall, Councilmember Briere, Councilmember Smith, Councilmember Derezinski, Councilmember Taylor and Councilmember Hohnke

Nays: 0

Absent: 2 - Councilmember Higgins and Councilmember Anglin

MEETING RECONVENED

A motion was made by Councilmember Smith, seconded by Councilmember Taylor, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 1:03 a.m.

ADJOURNMENT

A motion was made by Councilmember Briere, seconded by Councilmember Derezinski, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 1:03 a.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: TUESDAY, JULY 6, 2010 AT 7:00 P.M.

REPLAYS: WEDNESDAY, JULY 7, 2010 AT 10:00 A.M. AND FRIDAY, JULY 9, 2010 AT 10:30 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.