

# City of Ann Arbor

301 E. Huron St.  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>



## Meeting Minutes

Monday, March 17, 2008

7:00 PM

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

**City Council**

**CALL TO ORDER**

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

**MOMENT OF SILENCE**

*Council stood for a moment of silence.*

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL OF COUNCIL**

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

**APPROVAL OF AGENDA**

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

**INT INTRODUCTIONS**

*None.*

**PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)**

**\* (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

**\* ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

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

**ROLL CALL**

*Councilmember Greden arrived at 7:12 p.m.*

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

**Absent:** 1 - Councilmember Marcia Higgins

## 3. Alan Haber - Old Y

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

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

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

## 5. Sylvia Nolasco - Food Vending Permits

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

## 6. Vivienne Armentrout - City Hall Proposal

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

## 7. Miriam Lindsey - Hot Dog Stands

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

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

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

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

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

## 10. Sebastian Escalada - Street Vending

*Sebastian Escalada addressed Council regarding street vending in Ann Arbor.*

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

- PH-1** [08-0082](#) An Ordinance to Amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, 3965 South State Street (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-07)

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

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

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

Enactment No: ORD-08-07

- PH-2** [08-0195](#) Resolution to Approve Liberty Place Condominiums Planned Project Site Plan and Development Agreement, 4.65 Acres, Northeast Corner of West Liberty Road and I-94 (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

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

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

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

- PH-3** [08-0201](#) Resolution to Approve RelaxStation Site Plan, 0.16 Acre, 300 West Huron Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

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

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

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

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

*Kathy Griswold*

*Three members of the audience*

*Derek Petty, employee of RelaxStation*

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

Enactment No: R-08-106

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

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

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

#### **COMMUNICATIONS FROM COUNCIL**

*Councilmember Lowenstein*

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

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

*Councilmember Greden*

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

*Mayor Hieftje*

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

#### **A APPROVAL OF COUNCIL MINUTES**

A-1 [08-0270](#) Regular Session of March 3, 2008

**A motion was made by Councilmember Teall, seconded by Councilmember Kunselman, that the regular session meeting minutes of March 3, 2008 be approved as presented. On a voice vote, the Mayor declared the motion carried.**

#### **CA CONSENT AGENDA**

##### **CONSENT AGENDA ITEM REMOVED**

*With unanimous consent of Council, the following items were removed from the Consent Agenda and placed at the end of same:*

*CA-2 Resolution Authorizing Road Improvement Charge for 3081 Glazier Way*

(\$19,633.77)

CA-3 Resolution Authorizing Road Improvement Charge for 3093 Glazier Way

(\$98,168.85)

**Passed on consent agenda**

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

- CA-1** [08-0141](#) Resolution to Amend Previously Approved Resolution R-347-8-01 Authorizing Water Main Improvement Charge for 1710 Dhu Varren Road (\$6,990.65)  
Enactment No: R-08-095
- CA-4** [08-0199](#) Resolution to Approve the First Amendment to Professional Services Agreement with Kidorf Preservation Consulting for Historic Preservation Consulting Services (\$78,000.00)  
Enactment No: R-08-096
- CA-5** [08-0210](#) Resolution to Accept Board of Insurance Administration Meeting Minutes of February 22, 2008  
Enactment No: R-08-097
- CA-6** [08-0226](#) Resolution to Approve the Transfer Ownership and Location of a 2007 Class C Liquor Licensed Business Located at 2161 W. Stadium to 1703-1705 Plymouth Road - D/B/A Ayse's Cafe  
Enactment No: R-08-098
- CA-7** [08-0229](#) Resolution to Approve Seventh Amendment to Legal Services Contract With Dykema Gossett (\$30,000.00)  
Enactment No: R-08-099
- CA-2** [08-0148](#) Resolution Authorizing Road Improvement Charge for 3081 Glazier Way (\$19,633.77)  
**A motion was made by Councilmember Rapundalo, seconded by Councilmember Lowenstein, that the Resolution be approved.**  
Enactment No: R-08-137  
**A motion was made by Councilmember Lowenstein, seconded by Councilmember Rapundalo, that the Resolution be postponed to the City Council, and should return by 4/7/2008. On a voice vote, the Mayor declared the motion carried.**  
Enactment No: R-08-137
- CA-3** [08-0149](#) Resolution Authorizing Road Improvement Charge for 3093 Glazier Way (\$98,168.85)

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

Enactment No: R-08-138

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

Enactment No: R-08-138

**B ORDINANCE - SECOND READING**

**B & D Old Business**

- B-1**     [08-0143](#)     An Ordinance to Amend Sections 1:813 and 1:821 of Chapter 23 (Living Wage Requirements) of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-08-10)

*The complete text of Ordinance No. ORD-08-10 is on file in the City Clerk's Office.*

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

Enactment No: ORD-08-10

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

Enactment No: ORD-08-10

- D-1**     **08-0202**     Resolution Authorizing Summary Publication of Ordinance No. ORD 08-10 Amending Sections 1:813 and 1:821 of Chapter 23, Living Wage Requirements in City Contracts and Grants, of Title I of the City of Ann Arbor

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

Enactment No: R-08-131

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

Enactment No: R-08-131

**New Business:**

- B-2**     [08-0082](#)     An Ordinance to Amend Chapter 55, Rezoning of 2.23 Acres from PUD (Planned Unit Development) to C3 (Fringe Commercial District), State and Ellsworth Plaza, 3965 South State Street (CPC

Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-07)

*The complete text of Ordinance No. ORD-08-07 is on file in the City Clerk's Office.*

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

Enactment No: ORD-08-07

## **C ORDINANCE - FIRST READING**

**C-1**     [08-0258](#)     An Ordinance to Amend Section 9:363 of Chapter 119 (Noise Control) of Title IX of the Code of the City of Ann Arbor - Noise Control Regarding Animals (Ordinance No. ORD-08-17)

*The complete text of Ordinance No. ORD-08-17 is on file in the City Clerk's Office.*

**A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**

Enactment No: ORD-08-17

**A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return on 4/21/2008. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-08-17

**C-2**     [08-0262](#)     An Ordinance to Add a New Section 9:15 to Chapter 106 (Nuisances) of Title IX of the Code of the City of Ann Arbor - Nuisances Regarding Animals (Ordinance No. ORD-08-18)

*The complete text of Ordinance No. ORD-08-18 is on file in the City Clerk's Office.*

**A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**

Enactment No: ORD-08-18

**A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return by 4/21/2008. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-08-18

**C-3**     [08-0263](#)     An Ordinance to Add a New Section 9:42 to and Amend Sections 9:38, 9:45, and 9:52 of Chapter 107 (Animals) of Title IX of the Code of the City of Ann Arbor

*The complete text of this Ordinance is on file in the City Clerk's Office.*

**A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the Ordinance be approved at First Reading.**



Enactment No: ORD-08-19

**A motion was made by Councilmember Rapundalo, seconded by Councilmember Greden, that the Ordinance be postponed to the City Council, and should return on 4/21/2008. On a voice vote, the Mayor declared the motion carried.**

Enactment No: ORD-08-19

## D MOTIONS AND RESOLUTIONS

### DC New Business - Council:

**DC-1** [08-0254](#) Resolution to Approve the Purchase One Four Wheel Drive Heavy Duty One Ton Cab and Chassis Truck from Signature Ford (Macomb County Bid \$33,462.00)

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

Enactment No: R-08-100

**DC-2** [08-0271](#) Resolution to Request Washtenaw County Board of Commissioners to Negotiate with City Courthouse Lease Extension for 15th District Court

**A motion was made by Councilmember Anglin, seconded by Councilmember Kunselman, that the Resolution be approved. On roll call, the mayor declared the motion Defeated with the vote reading as follows:**

**Yeas:** 5 - Mayor Hieftje, Councilmember Suarez, Councilmember Kunselman, Councilmember Anglin and Councilmember Briere

**Nays:** 5 - Councilmember Rapundalo, Councilmember Lowenstein, Councilmember Greden, Councilmember Teall and Councilmember Easthope

**Absent:** 1 - Councilmember Higgins

### Added After Newspaper Deadline:

**DC-3** [08-0277](#) Resolution Supporting Governor Granholm's Proposed Increase in Statutory Revenue Sharing

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

**\*City Clerk to forward a copy of the resolution to the Michigan Municipal League.**

Enactment No: R-08-101

**DC-4** [08-0278](#) Resolution to Amend Zoning Ordinance to Examine Alternatives to Allow Personal Service Uses in the Office District as described in the Zoning Ordinance (Section 5:10.12)

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

Enactment No: R-08-102

**DC-5** [08-0282](#)

Resolution to End the Temporary Suspension of the 2008 Sidewalk Improvement Program

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

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

Enactment No: R-08-103

**DC-6** [08-0280](#)

Resolution Appointing Golf Courses Advisory Task Force Members

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

Enactment No: R-08-104

[08-0280](#)

Resolution Appointing Golf Courses Advisory Task Force Members

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

1st RESOLVED Clause:

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

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

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

Enactment No: R-08-104

The question being the resolution as amended, on a voice vote, the Mayor

declared the motion carried.

Enactment No: R-08-104

**DC-7** [08-0292](#)

Resolution Recommending Revisions to the Ann Arbor Sidewalk Vendor Program

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

Enactment No: R-08-122

[08-0292](#)

Resolution Recommending Revisions to the Ann Arbor Sidewalk Vendor Program

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

**Last Resolved Clause:**

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

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

Enactment No: R-08-122

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

Enactment No: R-08-122

**DB New Business - Boards and Commissions:**

**DB-1** [08-0195](#)

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

*Motion to approve DEFEATED.*

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

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

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

**Absent:** 1 - Councilmember Higgins

**DB-2** [08-0201](#)

Resolution to Approve RelaxStation Site Plan, 0.16 Acre, 300 West

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

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

Enactment No: R-08-106

#### Recess

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

#### DB-3 [08-0200](#)

Resolution to Approve Desprez Annexation, 1.0 Acre, 3490 East Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays).

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

Enactment No: R-08-107

#### DB-4 [08-0180](#)

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

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

Enactment No: R-08-108

#### DS **New Business - Staff:**

#### DS-1 [08-0203](#)

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

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

Enactment No: R-08-109

#### DS-2 [08-0211](#)

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

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

Enactment No: R-08-110

- DS-3**    [08-0204](#)        Resolution to Approve Purchase of 700 Altiris Client Management Suite Level 1 Licenses from Sehi Computer Products, Inc. (Not to Exceed \$34,650.00)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-111
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- DS-4**    [08-0237](#)        Resolution to Approve an Amendment to the Option to Purchase Agreement with Village Green Residential Properties LLC to extend the Term of the Agreement (8 Votes Required)
- A motion was made by Councilmember Greden, seconded by Councilmember Teall, that the Resolution be Approved. On a roll call, the Mayor declared the motion defeated, with the following vote tallied:**
- Yeas:** 5 - Mayor Hieftje, Councilmember Lowenstein, Councilmember Greden, Councilmember Teall and Councilmember Easthope
- Nays:** 5 - Councilmember Suarez, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Anglin and Councilmember Briere
- Absent:** 1 - Councilmember Higgins
- Enactment No: R-08-134
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- DS-6**    [08-0176](#)        Resolution to Approve the Purchase of a Model 2115 Vactor from Jack Doheny Supplies, Inc. (\$304,240.00)
- A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-112
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- DS-7**    [08-0175](#)        Resolution to Approve Amendment No. 1 to the Professional Services Agreement with GeoTrans, Inc. (\$111,559.00)
- A motion was made by Councilmember Lowenstein, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-113
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- DS-8**    [08-0174](#)        Resolution to Appropriate Water Supply Funds and Approve and Authorize an Increase in the Ann Arbor Housing Trust Fund to Assist Low-income Homeowners with Water Service Repairs (\$65,000.00) **(8 Votes Required)**
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Resolution be Approved. On a voice vote, the Mayor declared the motion carried unanimously, thus satisfying the eight-vote requirement.**
- Enactment No: R-08-114

- DS-9** [08-0168](#) Resolution to Approve Contract Change Order No. 1, Increasing the Total Contract Amount to \$163,174.00 with Margolis Companies, Inc. for Bid #3868 to Complete the Swift Run Dog Park Construction **(Deleted on 3/17/08)**

*Deleted from Agenda on 3/17/08.*

- DS-10** [08-0208](#) Resolution to Approve a Construction Contract with Allied Building Services, Inc. Per Bid #3925 for \$95,645.00 to Implement Phase I of the Master Market Plan - Existing Canopy Improvements and to Establish a Total Construction Project Budget of \$105,209.50 and Appropriate Funds for the Construction Project from the Market Fund **(8 Votes Required)**

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

Enactment No: R-08-115

- DS-11** [08-0232](#) Resolution to Approve the Closing of Monroe Street for the Monroe Street Fair, Saturday, April 5, 2008

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

Enactment No: R-08-116

#### **Postponement of the Closed Session**

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

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

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

Enactment No: R-08-117

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

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

Enactment No: R-08-118

**DS-14** [08-0231](#)

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

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

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

**Nays:** 1 - Councilmember Briere

**Absent:** 1 - Councilmember Higgins

Enactment No: R-08-119

**DS-15** [08-0251](#)

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

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

Enactment No: R-08-120

[08-0251](#)

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

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

**Delete 3rd RESOLVED Clause:**

**...[RESOLVED, That the proceeds from this transaction shall be deposited into Fund 0008 - The Municipal Center Fund;] ...**

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

Enactment No: R-08-120

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

Enactment No: R-08-120

**DS-16** [08-0250](#)

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

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





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

**H The following communications were referred as indicated:**

**Passed on consent agenda**

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

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

**I The following minutes were received for file:**

- I-1**    [07-0395](#)            Commission on Disabilities Issues - September 19, 2007 Meeting Minutes  
**Received and Filed**
- I-2**    [08-0214](#)            City of Ann Arbor Employees' Retirement System Minutes - January

17, 2008

**Received and Filed**

- I-3     [08-0215](#)     City of Ann Arbor Retiree Health Care Benefit Plan & Trust Minutes - January 17, 2008  
**Received and Filed**
- I-4     [08-0216](#)     Greenbelt Advisory Commission Minutes of January 9, 2008  
**Received and Filed**
- I-5     [08-0218](#)     Ann Arbor Housing Commission Minutes - January 16, 2008  
**Received and Filed**
- I-6     [08-0221](#)     Public Market Advisory Commission Minutes - January 17, 2008  
**Received and Filed**
- I-7     [08-0224](#)     Sign Board of Appeals Minutes - October 10, 2006; February 13, 2007; June 12, 2007; August 14, 2007  
**Received and Filed**
- I-8     [08-0225](#)     Housing Board of Appeals Minutes - June 5, 2007; September 11, 2007; January 8, 2008  
**Received and Filed**
- I-9     [08-0228](#)     Zoning Board of Appeals Minutes - June 27, 2007; July 25, 2007; August 22, 2007; September 23, 2007; October 24, 2007; November 28, 2007; December 19, 2007; January 23, 2008  
**Received and Filed**
- I-10    [08-0238](#)     Commission on Disability Issues - October 2007 Meeting Minutes  
**Received and Filed**
- I-11    [08-0240](#)     Disabilities Commission Nov 2007 Meeting Minutes  
**Received and Filed**
- I-12    [08-0242](#)     Disabilities Commission December 2007 Meeting Minutes  
**Received and Filed**
- I-13    [08-0243](#)     Disabilities Commission Meeting Minutes January 2008  
**Received and Filed**

- I-14    [08-0244](#)        Human Rights Commission Meeting Minutes 9/17/07, 10/10/07,  
11/14/07, 12/12/07, 01/09/08

**Received and Filed**

- I-15    [08-0245](#)        Election Commission Minutes - December 20, 2007

**Received and Filed**

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

1.        Nancy - RFP for 415 W. Washington

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

2.        Chris Hildebrand

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

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

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

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

**Nays:** 0

**Absent:** 2 - Councilmember Greden and Councilmember Higgins

**MEETING RECONVENED**

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

**ADJOURNMENT**

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

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

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

**REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE**

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

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

**Jacqueline Beaudry  
Clerk of the Council**

**Anissa R. Bowden  
Recording Secretary**