

City of Ann Arbor

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



Action Minutes

Monday, June 20, 2011

7:00 PM

Ann Arbor Municipal Center, 301 E. Huron Street, 2nd Floor

City Council

CALL TO ORDER

Mayor Hieftje called the meeting to order at 7:09 p.m. in the Guy C. Larcom, Jr. Municipal Building, 2nd Floor Council Chambers, 301 E. Huron 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 - Mayor John Hieftje, Councilmember Stephen Rapundalo, Councilmember Stephen Kunselman, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Mike Anglin, Councilmember Sabra Briere, Councilmember Sandi Smith, Councilmember Christopher Taylor and Councilmember Carsten Hohnke
- Absent:** 1 - Councilmember Tony Derezinski

APPROVAL OF AGENDA

A motion was made by Councilmember Teall, seconded by Councilmember Briere, that the Agenda be approved with the following changes:

Add: DC-4 Resolution to Approve the July 1, 2009 - June 30, 2013 Police Service Specialist Collective Bargaining Agreement

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

INT INTRODUCTIONS

INT-1 11-0691 Ann Arbor Skate Park Update - Scott Rosencrans

Scott Rosencrans introduced members of the Ann Arbor Skate Park team and members of the Board of Directors to Council. He gave a slide presentation updating Council on the Ann Arbor Skate Park, including information on the inclusiveness of skateboarding for people with disabilities. A copy of the slide presentation is on file in the City Clerk's Office. Mr. Rosencrans also announced an event called Go Skate Boarding Day that would take place on June 21st from 4-8 p.m. at Wheeler Park in Ann Arbor.

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. Thomas Partridge - Recall Governor Snyder. Build affordable housing and economic opportunities; not marijuana. (CA-4, DS-2)

Thomas Partridge, Ann Arbor resident, addressed Council regarding recalling Governor Snyder and building affordable housing and economic opportunities. He also spoke against medical marijuana.

2. Dennis Hayes - Medical Marijuana (DS-2)

Dennis Hayes, 120 N. Fourth Ave., addressed Council regarding medical marijuana. He thanked Council for their hard work on the ordinances and said that the ordinances should move forward.

3. Charles Ream - Medical Marijuana (DS-2)

Charles Ream, 1818 Packard, addressed Council regarding medical marijuana. He said that it is time to get the ordinance approved. He thanked Council for removing the dollar value from the label.

4. Rhory Gould - Medical Marijuana (DS-2)

Rhory Gould, 5537 Overbrook, addressed Council regarding medical marijuana. He thanked the Mayor and members of Council for all of their work in putting together an ordinance that would serve and protect all citizens. He also thanked a number of other people who have spent days, weeks, months and years to get the ordinance passed in the right manner.

5. Steven Thorp- West Park

Steven Thorp, 124 Chapin St., thanked the City for organizing the "get together" at West Park on Father's Day. The event recognized the recent changes to West Park. Mr. Thorp suggested changing the name of West Park to Central Park West and suggested holding a public meeting to consider the name change.

6. Alan Haber - Library Lot Park

Alan Haber, 531 Third St., addressed Council regarding the Library Lot. He reminded Council that there is great enthusiasm in Ann Arbor for a Central Park Central, a place in the center of town for gatherings, for meetings for cultural events, for the creation of community. Mr. Haber requested information regarding the Library Lot RFP process that was cancelled. He informed Council that there are still community discussions about a Library Lot park.

7. Anne Daws-Lazar - Emergency Services

Anne Daws-Lazar, representing Citizens for a Safe Ann Arbor, and the Ann Arbor Police and Ann Arbor Firefighters, urged the Mayor and Council to reconsider and amend the 2-year budget that was approved at the end of May 2011. She said that the Police Department cannot provide the level of service that the community deserves with the current staffing levels and the proposed cuts, and it is unsafe for both emergency responders, as well as the citizens to further reduce the number of police officers, 911 dispatchers and firefighters.

COMMUNICATIONS FROM COUNCIL**COUNCILMEMBER HOHNKE**

Councilmember Hohnke inquired about the dollar figure that has been expended on the Library Lot parking garage construction project.

Councilmember Hohnke also noted that he was sponsoring a Greenbelt Advisory Commission appointment and an Environmental Commission appointment on tonight's agenda.

COUNCILMEMBER ANGLIN

Councilmember Anglin raised some concerns regarding the First and Washington site and potential environmental impacts. The site is called Ann Arbor City Apartments. Councilmember Anglin stated he met with Matt Naud, City Environmental Coordinator, to review hydrological studies that have been done in the area and how the "bathtub" design will work with the water table issues in that area. Councilmember Anglin questioned the value of the "public benefit" from this PUD project.

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo responded to the speakers who raised issues about public safety personnel cuts. Councilmember Rapundalo stated the lay-offs could be mitigated if the Police and Fire unions agreed to the healthcare plan that the salaried employees and some other union contracts now have. This is within the control of the Public Safety unions, he stated.

Mayor Hieftje said that no one is asking the police officers to take on diminished healthcare; it would still be excellent healthcare. Paying the same that other employees do would allow those unions to avoid or minimize layoffs.

1. 11-0768

Resolution to Appoint Liz Rother as a Member of the City of Ann Arbor Greenbelt Advisory Commission

Sponsors: Hohnke

Councilmember Hohnke asked that Council consider the appointment of Liz Rother as a member of the Greenbelt Advisory Commission.

Referred to the City Council due back on 7/5/2011

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

Interim City Administrator Tom Crawford reported on the following:

DISPATCH

Earlier this month City staff met with the city dispatchers and issued a press release announcing that the City is exploring the option of contracting with the County for dispatch services. At this point, they are still in early discussions with Washtenaw County and working out the questions and answers. Mr. Crawford stated more information will be shared when it is available.

Separate from this discussion, Council approved as part of the FY2012 budget, the elimination of 2 occupied dispatcher positions. The affected employees have been notified. Given the closeness in timing, some may confuse the actual reduction of these two dispatch positions with the separate issue of potentially contracting with the County for dispatch.

STREET MILLAGE

There will be public engagement meetings for the Ann Arbor Street Reconstruction Millage on June 22, 29 and 30, 2011.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 10-1249 An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Cultivation Facilities and Dispensaries) of the Code of the City of Ann Arbor (Ordinance No. ORD-11-04)

A public hearing was conducted on the proposed Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Cultivation Facilities and Dispensaries) of the Code of the City of Ann Arbor. Notice of public hearing was published June 16, 2011.

Charles Ream, 1818 Packard, expressed concern with the possible postponement of the proposed Medical Marijuana Ordinance and urged Council to take action. Charmie Gholson, 2729 Cumberland, spoke in support of the proposed Medical Marijuana Licensing Ordinance.

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

Held and Closed

PH-2 11-0464

An Ordinance to Amend Sections 2:63, 2:64, 2:65 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates and Amend Residential Summer Service Billings) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-11-08)

A public hearing was conducted on the proposed Ordinance to Amend Sections 2:63, 2:64, 2:65 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates and Amend Residential Summer Service Billings) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published June 16, 2011.

Vincent Caruso, 556 Glendale Circle, expressed concern with the proposed increase to water, sewer and stormwater rates and the use of stormwater funds for road construction.

Thomas Partridge, Ann Arbor Resident, expressed concern with the proposed flat rate structure and the impact it has on lower income residents.

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

Held and Closed

PH-3 11-0477

An Ordinance to Amend Sections 5:600, 5:601, 5:602, 5:603, 5:604, 5:605, 5:606, 5:607, 5:608 and 5:610, to Repeal Section 5:611, and to Amend Renumbered Section 5:611 of Chapter 62 (Landscaping and Screening) of Title V of the Code of the City of Ann Arbor Regarding Plant Materials, Screening and Landscape Island Requirements - Planning Commission Recommendation: Approval (8 Yeas, 0 Nays) (Ordinance No. ORD-11-09)

A public hearing was conducted on the proposed Ordinance to Amend Sections 5:600, 5:601, 5:602, 5:603, 5:604, 5:605, 5:606, 5:607, 5:608 and 5:610, to Repeal Section 5:611, and to Amend Renumbered Section 5:611 of Chapter 62 (Landscaping and Screening) of Title V of the Code of the City of Ann Arbor Regarding Plant Materials, Screening and Landscape Island Requirements. Notice of public hearing was published June 16, 2011.

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

Held and Closed

PH-4 11-0664

Resolution to Establish a Fee for Design Review Board Applications

A public hearing was conducted on the proposed Resolution to Establish a Fee for Design Review Board Application. Notice of public hearing was published June 16, 2011.

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 11-0739 Working Session of May 9, 2011 and May 31 Continued Regular Session of May 16, 2011 (part III) and June 6, 2011 Regular Session

A motion was made by Councilmember Hohnke, seconded by Councilmember Taylor, that the Working Session minutes of May 9, 2011, the May 31 continued Regular Session minutes of May 16, 2011 and the Regular Session of June 6, 2011 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-10 Resolution to Approve a Purchase Order to Butzel Long for Legal Services to the 15th Judicial District Court (NTE \$37,000.00)

Passed on consent agenda

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

CA-1 11-0289 Resolution to Approve a Purchase Order to Michigan Supreme Court State Court Administrative Office for JIS (Not to Exceed \$57,026.80)

Enactment No: R-11-239

CA-2 11-0607 Resolution to Approve a Purchase Order to Cogsdale Corporation for Annual Software Maintenance and Support Agreement for FY2012 (\$58,147.50)

Enactment No: R-11-240

CA-3 11-0644 Resolution to Approve a Contract with Governmental Consultant Services Inc. for Lobbying Services (\$48,000.00)

Enactment No: R-11-241

CA-4 11-0645 Resolution to Approve a Contract with Ann Arbor SPARK for Business Support Services (\$75,000.00)

Enactment No: R-11-242

CA-5 11-0736 Resolution to Accept Board of Insurance Administration Meeting Minutes of May 26, 2011

Enactment No: R-11-243

CA-6 11-0553 Resolution to Approve Purchase of Liquid Oxygen for Water Treatment from Air Liquide Industrial U.S. LP, Bid No. ITB-4154 (estimated \$74,000.00/yr)

Enactment No: R-11-244

- CA-7 11-0603** Resolution to Approve the Purchase of Meter Transmitting Units from Aclara RF Systems, Inc. (\$75,000.00)
Enactment No: R-11-245
- CA-8 11-0657** Resolution to Approve Purchase of Carbon Dioxide (CO2) for Water Treatment from Continental Carbonic Products, Bid No ITB-4157 (\$49/ton, estimated \$30,000.00/yr)
Enactment No: R-11-246
- CA-9 11-0734** Resolution to Approve Contract Amendment Number One with WeCare Organics to Extend Equipment Lease 90 Days
Enactment No: R-11-247
- CA-10 11-0748** Resolution to Approve a Purchase Order to Butzel Long for Legal Services to the 15th Judicial District Court (NTE \$37,000.00)
Councilmember Taylor requested to be recused from voting on this item due to a potential conflict of interest.

A motion was made by Councilmember Teall, seconded by Councilmember Hohnke, that Councilmember Taylor be recused from voting on this item. On a voice vote, the Mayor declared the motion carried and Councilmember Taylor left the table.

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 carried.
Enactment No: R-11-248

B ORDINANCES - SECOND READING

- B-1 10-1249** An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Cultivation Facilities and Dispensaries) of the Code of the City of Ann Arbor (Ordinance No. ORD-11-04)

A motion was made by Councilmember Briere, seconded by Councilmember Smith, that the ordinance be adopted.
Enactment No: ORD-11-04

A motion was made by Councilmember Rapundalo, seconded by Councilmember Higgins, that the Ordinance be postponed until 7/18/2011. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:
- Yeas:** 3 - Mayor Hieftje, Councilmember Rapundalo and Councilmember Higgins
- Nays:** 7 - Councilmember Kunselman, Councilmember Teall, Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Taylor and Councilmember Hohnke
- Absent:** 1 - Councilmember Derezinski

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

...Section 7:501. Definitions.

VII "REGISTRY IDENTIFICATION CARD" MEANS A DOCUMENT ISSUED BY THE DEPARTMENT THAT IDENTIFIES A PERSON AS A REGISTERED QUALIFYING PATIENT OR REGISTERED PRIMARY CAREGIVER. ...

Note: All Caps indicate new language.

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:

...7:506. Conduct of Business at a Medical Marijuana Dispensary.

...(4)(e) The name date of delivery, weight, AND type of marijuana [and dollar amount or other consideration being exchanged in the transaction]; ...

Note: [] Indicates deleted language. All caps indicate new language.

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:

...7:506. Conduct of Business at a Medical Marijuana Dispensary.

...(4)(h) The name OF AN AUTHORIZED REPRESENTATIVE OF THE MEDICAL MARIJUANA DISPENSARY WHOM A REGISTERED QUALIFYING PATIENT CAN CONTACT WITH ANY QUESTIONS REGARDING THE PRODUCT AND THE [,] address, email address, and telephone number OF THE MEDICAL MARIJUANA DISPENSARY [of an authorized representative of the medical marijuana dispensary whom a registered qualifying patient can contact with any questions regarding the product]. ...

Note: All Caps indicate new language. [] indicate deleted language.

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

A motion was made by Councilmember Kunselman, seconded by Councilmember Teall, that the Ordinance be postponed until 7/18/2011. On a roll call, the vote was as follows with the Mayor declaring the motion defeated:

Yeas: 5 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Kunselman, Councilmember Higgins and Councilmember Teall

Nays: 5 - Councilmember Anglin, Councilmember Briere, Councilmember Smith, Councilmember Taylor and Councilmember Hohnke

Absent: 1 - Councilmember Derezinski

10-1249 An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Cultivation Facilities and Dispensaries) of the Code of the City of Ann Arbor (Ordinance No. ORD-11-04)

The question being the motion as amended, that the ordinance be adopted on Second Reading, 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 Anglin, Councilmember Briere, Councilmember Smith, Councilmember Taylor and Councilmember Hohnke

Nays: 2 - Councilmember Rapundalo and Councilmember Higgins

Absent: 1 - Councilmember Derezinski

DS-1 11-0725 Resolution to Authorize Summary Publication of Ordinance No. ORD-11-04 - An Ordinance to Add a New Chapter 95 to Title VII (Medical Marijuana Licenses for Dispensaries) of the Code of the City of Ann Arbor

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 with one no-vote made by Councilmember Rapundalo.

Enactment No: R-11-249

B-2 10-0949 An Ordinance to Add Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-10-37)

A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried with no-votes made by Councilmembers Higgins and Rapundalo.

DS-2 11-0724 Resolution to Authorize Summary Publication of Ordinance No. ORD-10-37 - An Ordinance That Adds Section 5:50.1 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor Regarding Regulations Concerning Medical Marijuana

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.

Enactment No: R-11-250

RECESS

Mayor Hieftje declared a recess at 9:01 p.m. and reconvened the meeting at 9:08 p.m.

B-3 11-0464 An Ordinance to Amend Sections 2:63, 2:64, 2:65 and 2:69 of Chapter 29 (Increase Water, Sewer, and Stormwater Rates and Amend Residential Summer Service Billings) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-11-08)

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

- DS-3 11-0742** Resolution to Authorize Summary Publication of Ordinance No. ORD-11-08 to Amend Chapter 29 of Title II of the Code of the City of Ann Arbor - Increase Water, Sewer and Stormwater Rates
- 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-11-251
- B-4 11-0477** An Ordinance to Amend Sections 5:600, 5:601, 5:602, 5:603, 5:604, 5:605, 5:606, 5:607, 5:608 and 5:610, to Repeal Section 5:611, and to Amend Renumbered Section 5:611 of Chapter 62 (Landscaping and Screening) of Title V of the Code of the City of Ann Arbor Regarding Plant Materials, Screening and Landscape Island Requirements - Planning Commission Recommendation: Approval (8 Yeas, 0 Nays) (Ordinance No. ORD-11-09)
- A motion was made by Councilmember Teall, seconded by Councilmember Taylor, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- DS-4 11-0706** Resolution to Authorize Summary Publication of Ordinance No. ORD-11-09 to Amend Sections 5:600, 5:601, 5:602, 5:603, 5:604, 5:605, 5:606, 5:607, 5:608 and 5:610, to Repeal Section 5:611, and to Amend Renumbered Section 5:611 of Chapter 62 (Landscaping and Screening) of Title V of the Code of the City of Ann Arbor
- 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 carried.**
- Enactment No: R-11-252
- C ORDINANCES - FIRST READING**
- C-1 11-0670** An Ordinance to Amend Sections 1:552, 1:564, 1:566, 1:569, 1:574, 1:587, and 1:595 of Chapter 18, Employees Retirement System, Title I, of the Code of the City of Ann Arbor (Ordinance No. ORD-11-10)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Ordinance be approved on First Reading. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: ORD-11-10

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 11-0729** Resolution to Appoint Jamie Woolard as a Member of the City of Ann Arbor Environmental Commission
- Sponsors:** Hohnke and Teall
- 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.**
- Enactment No: R-11-253
- DC-2 11-0749** Resolution to Adopt Revised Fund Balance and Debt Policies
- Sponsors:** Budget Committee
- A motion was made by Councilmember Taylor, seconded by Councilmember Kunselman, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-254
- DC-3 11-0679** Resolution to Amend Ann Arbor City Budget for Fiscal Year 2011 (8 Votes Required)
- Sponsors:** Budget Committee
- 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-11-256
- DC-4 11-0779** Resolution to Approve the July 1, 2009 - June 30, 2013 Police Service Specialist Collective Bargaining Agreement
- Sponsors:** Council Administration and Labor Committee
- **Staff was asked to provide information regarding savings to the City as a result of the ratification of this union contract.*
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-255
- DB New Business - Boards and Commissions:**
- DS New Business - Staff:**
- DS-5 11-0741** Resolution to Amend the 2011 City Council Calendar
- A motion was made by Councilmember Taylor, seconded by Councilmember Anglin, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-257

- DS-6 11-0517** Resolution to Approve an Agreement with Parsons Brinckerhoff Michigan, Inc. (PBM) for Project Management and Construction Engineering Services for the E. Stadium Boulevard Bridges Replacement Project (\$3,587,456.80)
- A motion was made by Councilmember Briere, seconded by Councilmember Higgins, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-258
- DS-7 11-0592** Resolution to Approve Third Amendment to Agreement with Northwest Consultants, Inc. (NCI) for Construction Engineering and Additional Design Engineering Services for the E. Stadium Boulevard Bridges Replacement Project (\$609,815.00)
- A motion was made by Councilmember Higgins, seconded by Councilmember Hohnke, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-259
- DS-8 11-0655** Resolution to Approve Purchase of Quicklime for Water Treatment from Carmeuse Lime Inc; Beachville Bid No. ITB-4157 (estimated \$345,000.00/6 months)
- A motion was made by Councilmember Briere, seconded by Councilmember Taylor, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-260
- DS-9 11-0555** Resolution to Approve Purchase of Sodium Hydroxide for Water Treatment from JCI Jones Chemicals, Inc Bid No. ITB-4153 (\$560.00/ton, estimated \$126,000.00/yr)
- 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.**
- Enactment No: R-11-261
- DS-10 10-1259** Resolution to Approve a Contract with PerkinElmer Health Sciences Inc. for a Water Laboratory Information Management System and Services (\$110,026.00)
- 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.**
- Enactment No: R-11-262
- DS-11 11-0669** Resolution to Award Contract for Barton Dam Concrete Repairs to Gerace Construction Company (\$812,500.00) and Appropriate \$366,250.00 from the General Fund Reserve (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, thus satisfying the eight-vote requirement.**
- Enactment No: R-11-263

Councilmember Higgins left the meeting at 9:38 p.m.

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

Absent: 2 - Councilmember Marcia Higgins and Councilmember Tony Derezinski

DS-12 11-0652

Resolution to Approve Amendment No. 1 to the Continuing Service Contracts with E. T. MacKenzie Company (\$250,000.00) and D. N. Higgins, Inc. (\$250,000.00) for On-Call and Emergency Construction Services

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

Enactment No: R-11-264

DS-13 11-0544

Resolution to Adopt a Policy Regarding Affordable Housing Project Liens

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

Enactment No: R-11-265

DS-14 11-0576

Resolution to Award Purchase Orders to Asplundh Tree Expert Company (\$90,000.00), Advanced Tree Care Services (\$40,000.00) and Owen Tree Service (\$30,000.00) for Tree Removal, Stump Removal and/or Tree Trimming Services, ITB - 4141

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

Enactment No: R-11-266

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

2nd Whereas Clause:

...Whereas, The Public Services Area, Field Operations Service Unit have available funds for this purchase in the [FY11] Field Operations Unit, Park Operations and Forestry Operating Budget; ...

3rd RESOLVED Clause:

...RESOLVED, That the City Administrator be authorized to extend each of the purchase orders for [three additional one-year periods,] FISCAL YEARS 12, 13 and 14 with the same amounts, terms and conditions not to exceed a total of \$160,000.00 each year, subject to the approval of the annual appropriation of funds; and ...

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

- 11-0576** Resolution to Award Purchase Orders to Asplundh Tree Expert Company (\$90,000.00), Advanced Tree Care Services (\$40,000.00) and Owen Tree Service (\$30,000.00) for Tree Removal, Stump Removal and/or Tree Trimming Services, ITB - 4141
- The question being the Resolution as amended, on a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-266
- DS-15 11-0656** Resolution Setting a Public Hearing on Picometrix, LLC's Application for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2006-020
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Smith, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-267
- DS-16 11-0723** Resolution to Amend Contracts with Legal Services of South Central Michigan and Housing Bureau for Seniors for Foreclosure Prevention and Counseling Services (\$70,001.00 FY 2011 General Fund) (8 Votes Required)
- A motion was made by Councilmember Smith, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-11-268
- DS-17 11-0664** Resolution to Establish a Fee for Design Review Board Applications
- A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be approved.**
- A motion was made by Councilmember Smith, seconded by Councilmember Briere, that the Resolution be postponed until 7/5/2011. On a voice vote, the Mayor declared the motion carried.**
- DS-18 11-0767** Resolution to Award a Construction Contract to Hoffman Brothers, Inc. (\$1,216,099.75; Bid No. ITB-4127A) for the Northside Interceptor Sanitary Sewer Relocation Project
- 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.**
- Enactment No: R-11-269

E COMMUNICATIONS FROM THE MAYOR

Mayor Hieftje said that the City had a great celebration on Sunday with the re-opening of West Park. City volunteers were also honored on Sunday who have helped in Ann Arbor parks. Discussions are underway to hold an annual event for volunteers.

Mayor Hieftje also announced that the Summer Festival started last weekend and it was a great success.

E-1 11-0731 6/6/11 Nominations & appointments

APPOINTMENTS APPROVED

Mayor Hieftje recommended the following appointments at the June 6, 2011 regular session of Council:

*Ann Arbor Commission on Disability Issues
Larry Keeler (Replacing -Helen Meador)
1020 Hillside Manor, Pennsylvania
Ann Arbor, MI 48103
Term: June 20, 2011-June 19, 2014*

*Linda Briggs (Re-Appoint)
2124 Pauline Blvd. # 206
Ann Arbor, MI 48103
Term: June 20, 2011-June 19, 2014*

*Design Review Board
Tamara Burns (Mayor/Council Appointee)
1614 Harbal Dr.
Ann Arbor, MI 48105
Term: June 20, 2011-June 19, 2014*

*Paul Fontaine (Mayor/Council Appointee)
1701 Arborview Blvd.
Ann Arbor, MI 48104
Term: June 20, 2011-June 19, 2013*

*Chester B. Hill (Mayor/Council Appointee)
7550 Fourth St.
Dexter, MI 48130
Term: June 20, 2011-June 19, 2013*

*Mary Jukari (Mayor/Council Appointee)
JJR 110 Miller Ave.
Ann Arbor, MI 48104
Term: June 20, 2011-June 19, 2012*

*Bill Kinley (Mayor/Council Appointee)
843 Asa Gray Drive
Ann Arbor, MI 48105
Term: June 20, 2011- June 19, 2012*

*Richard Mitchell (Mayor/Council Appointee)
Mitchell & Mouat Arch., Inc.
113 S. Fourth Ave.
Ann Arbor, MI 48104
Term: June 20, 2011-June 19, 2014*

*Geoffrey M. Perkins (Mayor/Council Appointee)
310 Depot St.
Ann Arbor, MI 48104*

A motion was made by Councilmember Briere, seconded by Councilmember Hohnke, that Council concur with the recommendations of the Mayor. On a

voice vote, the Mayor declared the motion carried.

E-2 11-0778 Appointments - Confirmations

NOMINATIONS

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

Airport Advisory Commission

Raymond Hunter (re-appointment)

1601 Dicken Dr.

Ann Arbor, MI 48103

Term: July 5, 2011-July 4, 2014

John Sullivan (re-appointment)

217 N. Division

Ann Arbor, MI 48104

Term: July 5, 2011- July 4, 2014

James Vincze (re-appointment)

1335 Fairlane Dr.

Ann Arbor, MI 48104

Term: July 5, 2011-July 4, 2014

Elizabeth Dean Fund Committee

Warren Attarian (re-appointment)

3490 Gettysburg Rd.

Ann Arbor, MI 48105

Term: July 5, 2011-July 31, 2013

Ann Arbor Housing Commission

Gloria Black (Filling Vacancy of Shanika Smith)

707 Henry St. #106

Ann Arbor, MI 48104

Term: July 5, 2011-May 4, 2015

Planning Commission

Eleanore Adenekan (Replacing-Jean Carlberg)

1958 Lindsay Lane

Ann Arbor, MI 48104

Term: July 5, 2011-July 4, 2014

Wendy Woods (re-appointment)

2034 Liberty Heights

Ann Arbor, MI 48103

Term: July 5, 2011- July 4, 2014

Sign Board of Appeals

Perry Zielak (filling vacancy)

1845 Lake Lila Dr.

Ann Arbor, MI 48105

Term: July 5, 2011- July 4, 2014

Referred to the City Council due back on 7/5/2011.

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER KUNSELMAN

Councilmember Kunselman said he attended the wet meadow celebration at Buhr Park on Sunday.

Councilmember Kunselman also reported that he was not in attendance at the last Work Session because he attended the presentation by the Building Mayor of Tubingen, Germany at the downtown library. The presentation focused on redevelopment in the sister city of Tubingen. They have not had greenfield development in Tubingen since 1985. Mr. Kunselman's family was the host family for Cord Soehlke, Mayor of Tubingen, Germany and he was very impressed with our community.

F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM THE CITY ATTORNEY

City Attorney Stephen Postema asked that Council consider a motion to extend the Marijuana Moratorium for 120 days.

REOPEN AGENDA

A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, to open the Agenda. On a voice vote, the Mayor declared the motion carried.

ADD MOTION TO AGENDA

A motion was made by Councilmember Taylor, seconded by Councilmember Smith, to add a motion to extend the Medical Marijuana Moratorium to the agenda. On a voice vote, the Mayor declared the motion carried.

APPROVAL OF AGENDA AS AMENDED

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

11-0785 Motion to extend the Medical Marijuana Moratorium to October 28, 2011

A motion was made by Councilmember Smith, seconded by Councilmember Briere, to extend the Medical Marijuana Moratorium for an additional 120 days, to October 28, 2011. On a voice vote, the Mayor declared the motion carried.

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

- H-1 11-0728** Ann Arbor Public Art Commission 2011 Annual Art Plan
- 11-0800** Communication from The Detroit Edison Company regarding notice of a Public Hearing for Detroit Edison Company Customers regarding Case No. U-16582, scheduled for June 13, 2011

I The following minutes were received for file:

- I-1 11-0242** City Planning Commission Meeting Minutes of January 20, 2011
- I-2 11-0336** City Planning Commission Meeting Minutes of February 8, 2011
- I-3 11-0450** Historic District Commission Meeting Minutes of the March 10, 2011
- I-4 11-0524** City Planning Commission Meeting Minutes of February 15, 2011
- I-5 11-0525** City Planning Commission Meeting Minutes of March 1, 2011
- I-6 11-0678** Cable Communications Commission Meeting Minutes of April 26, 2011
- I-7 11-0680** Washtenaw Area Transportation Study (W.A.T.S.) Meeting Minutes of April 20, 2011
- I-8 11-0683** Ann Arbor Housing Commission Regular Board Meeting Minutes - April 20, 2011
- I-9 11-0698** City Election Commission - July 13, September 3 and October 12, 2010
- I-10 11-0700** Downtown Development Authority Meeting Minutes - May 2, 2011, May 20, 2011
- I-11 11-0701** Downtown Area Citizens Advisory Council Meeting Minutes - May 3, 2011

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Michael Benson, 2450 Stone Rd., addressed Council regarding a statement made by Iowa State Senator Shawn Hamerlinck about students lobbying for funds. He also proposed changes to the Student Relations Committee because the committee is not actively meeting on a regular basis. Mr. Benson said that he would email the information to Council at a later date.

Thomas Partridge, Ann Arbor resident, addressed Council regarding recalling Governor Snyder.

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).

None.

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 10:10 p.m.

11-0806 City Council Emails - June 20, 2011

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JUNE 20, 2011 AT 7:00 P.M.

REPLAYS: TUESDAY, JUNE 21, 2011 AT 10:00 A.M. AND FRIDAY, JUNE 24, 2011 AT 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