

City of Ann Arbor

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



Meeting Minutes - Final

Monday, July 7, 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 7:09 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: 10 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin and Councilmember Sabra Briere

APPROVAL OF AGENDA

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

CLOSED SESSION

Add: Closed Session to discuss Land Acquisition (Session to be held after Ordinances at First Reading)

D - MOTIONS AND RESOLUTIONS

DC - New Business - Council:

Add: DC-4 Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Everyday Cook, Inc.

Add: DC-5 Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to HBSP Holdings Corp. d/b/a Salsarita's Fresh Cantina

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

INT INTRODUCTIONS

INT-1 [08-0679](#) Huron River Day Proclamation

Mayor Hieftje read a proclamation proclaiming July 13, 2008 as Huron River Day. He invited residents of the community to spend the day at Gallup Park in celebration of the river. Shirley Axon was present to accept the proclamation. (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**

1. Tom Partridge - Building a true democratic environment for progress in Ann Arbor and Washtenaw. Create city-county affordable transportation and housing authorities. Provide access to city-county CTN, health care and education.

Tom Partridge, 4220 Eyrie, addressed Council regarding building a true democratic environment for progress in Ann Arbor and Washtenaw; creating city-owned affordable transportation and housing authorities and providing access to city-county CTN, health care and education.

2. Kim Bayer - Project Grow

Kim Bayer, 445 Second St., spoke in support of refunding Project Grow.

3. Mary Campbell - Downtown Development Liquor License

Mary Campbell, 426 Spring St., thanked Council for considering the Development Liquor License for Every Day Cook.

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1** [08-0510](#) An Ordinance to Amend Section 2:5 (Solid Waste Containers) of Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges and Allowing Grass Clippings in Compost Carts (ORD-08-21)

A public hearing was conducted on the proposed amendment to Chapter 26, Section 2:5, (Solid Waste Containers) of Title II of the Code of the City of Ann Arbor. Notice of public hearing was published July 6, 2008.

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

Enactment No: ORD-08-21

- PH-2** [08-0515](#) An Ordinance to Amend Chapter 55, Rezoning of 4 Ann Arbor Township Properties (Anderson/Connell, Powsner, Stetz and Thompson) from TWP (Township District) to R1A and R1B (Single-Family Dwelling District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-22)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of, four Ann Arbor Township Properties (Anderson/Connell, Powsner, Stetz and Thompson) from TWP (Township District) to R1A and R1B (Single-Family Dwelling District). Notice of public hearing was published June 22, 2008.

Tom Partridge, 4220 Eyrie Dr., of Scio Township, spoke in opposition of the proposed ordinance.

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

Enactment No: ORD-08-22

PH-3 [08-0516](#)

An Ordinance to Amend Chapter 55, Rezoning of 1.0 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Desprez Property, 3490 East Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. 08-23)

A public hearing was conducted on the proposed amendment to Chapter 55, rezoning of, 1.0 acre from TWP (Township District) to R1A (Single-Family Dwelling District), Desprez property, located at 3490 East Huron River Drive. Notice of public hearing was published June 22, 2008.

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

Enactment No: ORD-08-23

PH-4 [08-0554](#)

An Ordinance to Amend Section 5:10.12 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor regarding the Addition of Personal Services as an allowable use in the Office Zoning District (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. 08-24)

A public hearing was conducted on the proposed amendment to Chapter 55, Section 5:10.12 of Title V of the Code of the City of Ann Arbor regarding Personal Services as an allowable use in the Office Zoning District. Notice of public hearing was published June 22, 2008.

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

Enactment No: ORD-08-24

PH-5 [08-0561](#)

Resolution to Approve Industrial Facilities Exemption Certificate Between the City of Ann Arbor and Mercedes-Benz Research and Development North America, Inc.

A public hearing was conducted on the proposed Resolution to Approve Industrial Facilities Exemption Certificate Between the City of Ann Arbor and Mercedes-Benz Research and Development North America, Inc. Notice of public hearing was published June 29, 2008.

The owner of the Mercedes-Benz Research and Development North America, Inc., asked for council's support of the proposed Industrial Facilities Exemption Certificate and was available to answer questions of Council.

Tom Partridge, Scio Township, spoke in opposition of the proposed tax abatement.

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

Enactment No: R-08-299

PH-6 [08-0655](#)

Resolution to Apply for, Accept, Approve and Appropriate the 2008

Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice-Office of Justice Programs-Bureau of Justice Assistance to the Police Department (\$11,935.00) (**8 Votes Required**)

A public hearing was conducted on the proposed Resolution to Apply for, Accept, Approve and Appropriate the 2008 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice-Office of Justice Programs-Bureau of Justice Assistance to the Police Department. Notice of public hearing was published June 29, 2008.

Jim Mogensen, 3780 Green Brier, expressed concern with receiving the proposed grant and purchasing police bikes.

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

Enactment No: R-08-300

COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER RAPUNDALO

Councilmember Rapundalo announced that he would be bringing forward an ordinance regarding banning plastic bags for consideration at first reading on July 21, 2008.

A APPROVAL OF COUNCIL MINUTES

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

Add: Closed Session to Discuss Land Acquisition

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

A-1 [08-0684](#) Regular Session of June 16, 2008

A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Minutes be approved as presented. On a voice vote, the Mayor declared the motion carried.

CA CONSENT AGENDA

Passed on consent agenda

A motion was made by Councilmember Rapundalo, 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 [08-0604](#) Resolution to Approve a Professional Services Agreement with Wade Trim, Inc. for Design Engineering Services for the Washtenaw Avenue Water Main Replacement Project (\$95,084.30)

Enactment No: R-08-282

- CA-3 [08-0627](#) Resolution to Approve Purchase of Hydrofluorosilicic Acid for Water Treatment from Brenntag Great Lakes, Bid No. 3949 (estimated \$65,000.00/yr)
Enactment No: R-08-283
- CA-4 [08-0629](#) Resolution to Approve a Contract with Cross Lake Construction Incorporated in the Amount of \$37,259.50 to Replace Park Sidewalks, per Bid #3922, and Establish a Total Construction Project Budget of \$40,985.50
Enactment No: R-08-284
- CA-5 [08-0649](#) Resolution to Approve a Payment in Lieu of Taxes (PILOT) for Ann Arbor Limited Dividend Housing Association Limited Partnership at 2625 Burton Road for Burton Commons Apartments
Enactment No: R-08-285
- CA-6 [08-0650](#) Resolution to Approve a Purchase Order with Racquet Sports for Basketball and Tennis Court Surface Coating - Bid #3900 (\$0.65/SF, estimated \$41,500.00) and to Establish a Project Budget of \$45,650.00
Enactment No: R-08-286
- CA-7 [08-0651](#) Resolution to Approve the Sale of Washtenaw Affordable Housing Corporation's Property at 723 S. Main Street, 13 Metroview and 5 Trowbridge
Enactment No: R-08-287
- CA-8 **This item was moved to D Section of the agenda. To be considered after DS-19.**
- CA-9 [08-0661](#) Resolution to Approve a Temporary Liquor License to Kempf House Center for Local History on September 7, 2008 for their Septemberfest at Kempf House Event
Enactment No: R-08-289
- CA-2 [08-0605](#) Resolution to Approve a Professional Services Agreement with Wade Trim, Inc. for Design Engineering Services for the Valhalla Drive Sanitary Sewer Extension Project (\$97,062.45)
A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.
Enactment No: R-08-288

B ORDINANCE - SECOND READING

- B-1** [08-0510](#) An Ordinance to Amend Section 2:5 (Solid Waste Containers) of Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges and Allowing Grass Clippings in Compost Carts (ORD-08-21)
- A motion was made by Councilmember Higgins, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- DS-1** [08-0621](#) Resolution to Authorize Summary Publication of ORD-08-21 to Amend Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges and Allowing Grass Clippings in Compost Carts
- A motion was made by Councilmember Easthope, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-290
- B-2** [08-0515](#) An Ordinance to Amend Chapter 55, Rezoning of 4 Ann Arbor Township Properties (Anderson/Connell, Powsner, Stetz and Thompson) from TWP (Township District) to R1A and R1B (Single-Family Dwelling District) (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-22)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Briere, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- B-3** [08-0516](#) An Ordinance to Amend Chapter 55, Rezoning of 1.0 Acre from TWP (Township District) to R1A (Single-Family Dwelling District), Desprez Property, 3490 East Huron River Drive (CPC Recommendation: Approval - 7 Yeas and 0 Nays) (Ordinance No. 08-23)
- A motion was made by Councilmember Easthope, seconded by Councilmember Anglin, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- B-4** [08-0554](#) An Ordinance to Amend Section 5:10.12 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor regarding the Addition of Personal Services as an allowable use in the Office Zoning District (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. 08-24)
- A motion was made by Councilmember Teall, seconded by Councilmember Lowenstein, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.**
- DS-2** [08-0658](#) Resolution Authorizing Summary Publication of Ordinance No. 08-24 -

An Ordinance to Amend Section 5:10.12 of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor regarding the Addition of Personal Services as an Allowable Use in the Office Zoning District

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

Enactment No: R-08-291

C ORDINANCE - FIRST READING

- C-1** [08-0638](#) Amendment to Chapter 55, Rezoning of 1.06 Acres from TWP (Township District) to R1B (Single-Family Dwelling District), Maher Property, 3087 Glazier Way (CPC Recommendation: Approval - 9 Yeas and 0 Nays) (Ordinance No. ORD-08-26)
- A motion was made by Councilmember Rapundalo, seconded by Councilmember Teall, that the Ordinance be approved on First Reading and schedule Second Reading for 8/7/2008. On a voice vote, the Mayor declared the motion carried.**

- C-2** [08-0639](#) Amendment to Chapter 55, Rezoning of 3.94 Acres from TWP (Township District), R1B and R1C (Single-Family Dwelling District), and R3 (Townhouse District) to O (Office District), Maple Cove Office/Residential Complex, Northwest Corner of Maple and Miller Roads (CPC Recommendation: Approval - 8 Yeas and 0 Nays) (Ordinance No. ORD-08-27)
- A motion was made by Councilmember Briere, seconded by Councilmember Teall, that the Ordinance be approved on First Reading and schedule Second Reading for 8/7/2008. On a voice vote, the Mayor declared the motion carried.**

CLOSED SESSION TO DISCUSS LAND ACQUISITION

A motion was made by Councilmember Greden, seconded by Councilmember Rapundalo, that Council enter into Closed session. On roll call, the vote was as follows, with the Mayor declaring the motion carried: (The meeting recessed at 7:51 p.m.)

Yeas: 11 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Easthope, Councilmember Anglin and Councilmember Briere

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 8:17 p.m.

RE-OPEN AGENDA

A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the agenda be re-opened. On a voice vote, the Mayor declared the motion carried and the following item was added to the agenda:

D - MOTIONS AND RESOLUTIONS

DC - New Business - Council:

Add: DC-6 Resolution to Approve the Purchase of and Appropriate Funds for the Acquisition of 331 East Huron Street, Ann Arbor from Dean Zahn Properties, L.L.C. (\$605,000.00 plus Closing Costs/ NTE \$615,000.00 total) (8 Votes Required)

DC-6 [08-0702](#)

Resolution to Approve the Purchase of and Appropriate Funds for the Acquisition of 331 East Huron Street, Ann Arbor from Dean Zahn Properties, L.L.C. (\$605,000.00 plus Closing Costs/ NTE \$615,000.00 total) **(8 Votes Required)**

A motion was made by Councilmember Higgins, seconded by Councilmember Rapundalo, that the Resolution be approved. On roll call, the vote was as follows, with the Mayor declaring the motion carried:

Yeas: 8 - Mayor Hieftje, Councilmember Rapundalo, Councilmember Lowenstein, Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall and Councilmember Easthope

Nays: 3 - Councilmember Suarez, Councilmember Anglin and Councilmember Briere

Enactment No: R-08-292

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

DC-1 [08-0657](#)

Resolution to Amend FY 09 Budget to Fund Project Grow - \$7,000.00 **(8 Votes Required)**

Councilmember Anglin moved, seconded by Councilmember Suarez, to postpone the resolution until August 18, 2008. The motion to postpone was withdrawn.

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

Enactment No: R-08-293

DC-2 [08-0685](#)

Resolution to Direct the City Administrator and City Attorney to Present a Report to City Council on the Potential Impacts of Requiring the Execution of CUB Agreements by Contractors and Subcontractors with the Washtenaw County Skilled Building Trades Council as a Condition of All City Construction Contracts

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-08-294

DC-3 [08-0695](#)

Resolution to Re-Appoint Councilmember Joan Lowenstein to Planning Commission

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

Enactment No: R-08-295

DC-4 [08-0699](#)

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to Everyday Cook, Inc.

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-08-296

DC-5 [08-0700](#)

Resolution to Recommend Approval of Issuance of a Downtown Development District Liquor License to HBSP Holdings Corp. d/b/a Salsarita's Fresh Cantina

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-08-297

DB New Business - Boards and Commissions:

None.

DS Old Business - Staff:

DS-3 [08-0547](#)

Resolution to Approve a Conceptual Plan to Redesign Fifth Avenue and Division Streets between Packard and Beakes to be More Bicycle and Pedestrian Friendly

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

Enactment No: R-08-298

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

...RESOLVED, The Mayor and City Council approve the DDA-proposed conceptual plan for Fifth and Division, AND ENCOURAGE AN ONGOING DIALOGUE ABOUT THE PROJECT BETWEEN THE DDA AND CITY WHEN IMPLEMENTATION BEGINS.

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

****Staff to provide updates to City Council regarding critical milestones of this project.*

The question being, the motion made by Councilmember Greden, seconded by Councilmember Kunselman, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried.

Enactment No: R-08-298

DS New Business - Staff:

DS-4 [08-0561](#) Resolution to Approve Industrial Facilities Exemption Certificate Between the City of Ann Arbor and Mercedes-Benz Research and Development North America, Inc.

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

Enactment No: R-08-299

DS-5 [08-0655](#) Resolution to Apply for, Accept, Approve and Appropriate the 2008 Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice-Office of Justice Programs-Bureau of Justice Assistance to the Police Department (\$11,935.00) (**8 Votes Required**)

A motion was made by Councilmember Teall, seconded by Councilmember Lowenstein, 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-08-300

DS-6 [08-0584](#) Resolution to Approve Purchase of Quicklime for Water Treatment from Carmeuse Lime, Beachville Bid No. ITB-3950 (estimated \$704,000.00/yr)

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

Enactment No: R-08-301

DS-7 [08-0580](#) Resolution to Approve an Annual Agreement with Cogsdale Corporation for Utility Billing System Annual Maintenance and Services for FY09 (not to exceed \$106,473.00)

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-08-302

- DS-8** [08-0587](#) Resolution to Approve a Professional Services Agreement with Midwestern Consulting, LLC for the Design of Newport Creek Culvert Crossing (RFP No. 650) \$57,084.21
- 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-08-303
- DS-9** [08-0603](#) Resolution to Approve a Professional Services Agreement with Wade Trim, Inc. for Design Engineering Services for the Steere Farm Well Field Water Main Replacement Project (\$188,891.90)
- A motion was made by Councilmember Higgins, seconded by Councilmember Teall, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-304
- DS-10** [08-0606](#) Resolution to Approve a Professional Services Agreement with Wade Trim, Inc. for Design Engineering Services for the Northside Sanitary Sewer Sub-main Project - Phase I (\$127,844.50)
- 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-08-305
- DS-11** [08-0609](#) Resolution to Approve Purchase of Sodium Hydroxide for Water Treatment from Jones Chemicals Inc, Bid No ITB-3947 (\$637.00/ton, estimated \$144,000.00/yr)
- A motion was made by Councilmember Anglin, seconded by Councilmember Greden, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-306
- DS-12** [08-0626](#) Resolution to Approve the Purchase of High Calcium Quicklime from Huron Lime, Inc. for the Wastewater Treatment Plant, Bid No. ITB-3950 (\$261,660.00 - estimated for FY09)
- A motion was made by Councilmember Teall, seconded by Councilmember Easthope, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**
- Enactment No: R-08-307
- DS-13** [08-0628](#) Resolution to Approve Purchase of Sodium Hypochlorite for Water Treatment from PVS Nolwood, Bid No. ITB-3956 (\$143,000.00/yr)
- A motion was made by Councilmember Briere, seconded by Councilmember Easthope, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.**

Enactment No: R-08-308

DS-14 [08-0631](#)

Resolution to Approve Purchase of Sodium Hexametaphosphate for Water Treatment from Summit Chemicals, Bid No. ITB-3954 (estimated \$105,600.00/yr)

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-08-309

DS-15 [08-0632](#)

Resolution to Approve a Contract with Biondo Design & Build, L.L.C. in the Amount of \$39,758.00 to Renovate the Cobblestone Farm Barn Parks and Recreation Customer Service Center, per Bid #3923, and to Establish a Total Construction Project Budget of \$129,933.00

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

Enactment No: R-08-310

DS-16 [08-0640](#)

Resolution to Establish Annual Population Adjustment for Ann Arbor Township

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

Enactment No: R-08-311

DS-17 [08-0641](#)

Resolution to Establish Annual Population Adjustment for Pittsfield Township

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

Enactment No: R-08-312

DS-18 [08-0660](#)

Resolution to Approve the Closing of City Streets for the 2008 University of Michigan Student Move-In Program from August 27 - August 29, 2008

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

Enactment No: R-08-313

DS-19 [08-0563](#)

Resolution to Approve a New Lease of Property at 201 W. William Street with William Street Apartments LDHA, LP at a Cost of \$1.00

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

Enactment No: R-08-314

CA-8 [08-0652](#)

Resolution to Allocate \$65,851.00 in HOME Funds to William Street Apartments LDHA LP for the Refinance and Rehabilitation of 201 W. William and to Approve the Housing Affordability Agreement (\$65,851.00 HOME Funds)

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

Enactment No: R-08-315

DS-20 [08-0610](#)

Resolution to Award a Construction Contract to Posen Construction, Inc. (Bid No. 3916, \$663,620.88) for the Millers Creek Bank Stabilization Project

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-08-316

E COMMUNICATIONS FROM THE MAYOR

E-1 [08-0692](#)

Appointment - Confirmations

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

Downtown Area Citizens Advisory Council

Richard H. Shackson *Re-Appointment*
 101 North Main Street #907
 Ann Arbor, MI 48104
 Term: July 21, 2008-July 21, 2011

Sue Kern *Re-Appointment*
 318 S. Thayer St.
 Ann Arbor, MI 48104
 Term: July 21, 2008-July 21, 2011

James Kern *Re-Appointment*
 318 S. Thayer St.
 Ann Arbor, MI 48104
 Term: July 21, 2008- July 21, 2011

Kathleen Nolan *Re-Appointment*
 223 E. Ann St. #13
 Ann Arbor, MI 48104
 Term: July 21, 2008- July 21, 2011

Planning Commission

Wendy A. Woods *Filling Vacancy left by Ron Emaus*

2034 Liberty Heights
Ann Arbor, MI 48103
Term: July 1, 2008- June 30, 2011

Taxi Cab Board

Douglas Chapman
1611 E. Stadium Blvd.
Ann Arbor, MI 48104
Term: July 21, 2008- April 11, 2011

Filling Vacancy

COMMUNICATIONS FROM COUNCIL

None.

F COMMUNICATIONS FROM CITY ADMINISTRATOR

None.

G COMMUNICATIONS FROM CITY ATTORNEY

None.

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

None.

H The following communications were referred as indicated:

Passed on consent agenda

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

- H-1 [08-0618](#) Communication from Andrea Blome regarding concerns with the proposed University Village Project - cc. Planning and Development Services
- H-2 [08-0625](#) Communication from Washtenaw County Department of Planning & Environment regarding proposed amendments to Area, Height and Placement Standards - Planning and Development Services
- H-3 [08-0630](#) Communication from the State of Michigan regarding completion of Annexations to the City
- H-4 [08-0662](#) Communication from Washtenaw County Board of Commissioners regarding passage of a Resolution Authorizing the Creation of One Mortgage Foreclosure Prevention Specialist I/II/III Position within Washtenaw County MSU Extension and Authorizing the Creation of

an Intake Specialist Model (Temporary and Internship Positions) to be Funded with Funds from the City of Ann Arbor Budget Years 2008-2009, Contingent upon Receiving Funding from the City of Ann Arbor - Community Development

- H-5 [08-0664](#) Communications from SEMCOG regarding the following Bi-weekly Publications of SEMCOG:
1. Vol. 14, No. 13, June 16, 2008
 2. Vol. 14, No. 12, June 2, 2008
 3. Vol. 13, No. 1, 2008 (Special Issue: Equipping local government leaders for the future)

- H-6 [08-0665](#) Communication from Comcast regarding Rate Increases effective August 2008 - CTN

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

- I-1 [08-0616](#) Ann Arbor Downtown Development Authority Meeting Minutes - April, 2008, May 7, 2008
- I-2 [08-0617](#) Downtown Area Citizens Advisory Council Minutes - April 2, 2008, May 7, 2008
- I-3 [08-0622](#) Council Liquor License Review Committee - April 25, 2008
- I-4 [08-0653](#) LDFA/SmartZone Board Meeting Minutes 4/15/08
- I-5 [08-0654](#) LDFA/SmartZone Board Meeting Minutes 5/1/08

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

Tom Partridge -

Tom Partridge, 4220 Eyrie, addressed Council regarding building a true democratic environment for progress in Ann Arbor and Washtenaw; creating city-owned affordable transportation and housing authorities and providing access to city-county CTN, health care and education.

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

A motion was made by Councilmember Briere, seconded by Councilmember Lowenstein, that the be that Council enter into Closed session. On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting recessed at 9:35 p.m.

Yeas: 11 - Mayor Hieftje, Councilmember Suarez, Councilmember Rapundalo, Councilmember Lowenstein, Kunselman, Councilmember Greden, Councilmember Higgins, Councilmember Teall, Councilmember Easthope, Councilmember Anglin and Councilmember Briere

Nays: 0

MEETING RECONVENED

A motion was made by Councilmember Briere, seconded by Councilmember Kunselman, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened at 10:02 p.m.

08-0703

Resolution to Authorize Settlement Negotiation for A05-01336

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

Enactment No: R-08-317

ADJOURNMENT

A motion was made by Councilmember Lowenstein, seconded by Councilmember Kunselman, that the meeting be adjourned. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:02 p.m.

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 7, 2008 7:00 P.M.

REPLAYS: TUESDAY, JULY 8, 2008 10:30 A.M. AND FRIDAY, JULY 11, 2008 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

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

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