

# **City of Ann Arbor**

*100 N. Fifth Avenue  
Ann Arbor, MI 48104  
[www.a2gov.org](http://www.a2gov.org)*



## **Action Minutes**

**Monday, December 17, 2007**

**7:00 PM**

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

**City Council**

**CALL TO ORDER****MOMENT OF SILENCE****PLEDGE OF ALLEGIANCE****ROLL CALL OF COUNCIL**

**Present:** 11 - Mayor John Hieftje, Councilmember Ronald Suarez, Councilmember Stephen Rapundalo, Councilmember Joan Lowenstein, Councilmember Stephen Kunselman, Councilmember Leigh Greden, Councilmember Marcia Higgins, Councilmember Margie Teall, Councilmember Christopher S. Easthope, Councilmember Mike Anglin, and Councilmember Sabra Briere

**APPROVAL OF AGENDA**

Approved as presented

**INT INTRODUCTIONS**

INT-1 [07-0878](#) Legislative Annual Update - Kirk Profit

**ORGANIZATION OF NEW COUNCIL**

1. [07-0859](#) Adoption of Council Rules  
Approved

**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. Paul Morel - Crary Park Donation (DC-3)
2. John Nystuen - Doug Crary (DC-3)
3. Barbara Stark-Nemon - Crary Park Donation (DC-3)
4. Kristin Tomey - Backyard Chicken Farming
5. Thomas Partridge - Give the Ultimate Holiday Gift. Help build a caring, sharing, progressive democratic society. Support John Edwards for President.
6. Mario Brennan - Comcast Community Network (DC-2)

7. John Floyd - 202 Division Proposed Hotel (C-1)

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

PH-1 [07-0678](#) Public Hearing on Housing and Human Services Needs

**COUNCIL PROPOSED BUSINESS**

**COMMUNICATIONS FROM COUNCIL**

**REPORTS FROM COUNCIL COMMITTEES**

**A APPROVAL OF COUNCIL MINUTES**

**Passed on consent agenda**

**Approved as presented**

A-1 [07-0879](#) Regular Session Minutes of December 3, 2007

A-2 [07-0971](#) Working Session Minutes of December 10, 2007

**CA CONSENT AGENDA**

**Approved**

**Passed on consent agenda**

**Approved as presented**

CA-1 [07-0682](#) Resolution to Approve an Amendment to the Services Agreement with Haengel & Associates Engineering, Inc. (\$29,171.00) for Material Testing Services for the Recycle Rule Compliance Project  
**Approved**

Enactment No: R-07-593

CA-2 [07-0691](#) Resolution Authorizing Sanitary Sewer and Water Improvement Charges for 788 Arlington Boulevard (\$29,071.00)  
**Approved**

Enactment No: R-07-594

CA-3 [07-0827](#) Resolution to Extend the Contract with Rantoul Truck Center, LLC., for the Rental of Five Rear Load Refuse Trucks to Complete the Fall Leaf Collection Program (\$7,500.00)  
**Approved**

Enactment No: R-07-595

CA-4 [07-0828](#) Resolution to Authorize a Purchase Order to Michigan Waterworks, Inc., to Purchase Services and Materials for Emergency Repairs to Water Mains

(\$50,000.00)

**Approved**

Enactment No: R-07-596

- CA-5**    [07-0870](#)    Resolution to Amend Previously Approved Resolution R-07-561 Authorizing Sanitary Sewer Improvement Charge for 127 S. Wagner Road (\$4,835.60)  
**Approved**

Enactment No: R-07-597

- CA-6**    [07-0686](#)    Resolution to Accept Board of Insurance Administration Meeting Minutes of November 16, 2007  
**Approved**

Enactment No: R-07-598

- CA-7**    [07-0808](#)    Resolution to Amend Resolution R-07-461 to Approve the Sale of 1315 S. Seventh from Child and Family Services - Huron Service for Youth d/b/a HelpSource to Washtenaw Community Health Organization and to Approve the Assumption of a \$50,000.00 HOME Mortgage, Note and Housing Affordability Agreement  
**Approved**

Enactment No: R-07-599

- CA-8**    [07-0866](#)    Resolution to Approve the Transfer of Ownership of a 2006 Class C Liquor Licensed Business, Located in Escrow at 50 E. North Territorial, Suite A, in Whitmore Lake, MI 48189, Northfield Township, from Northfield Road House, Inc. to Whole Foods Market Group, Inc.; and Transfer Location to 3135 Washtenaw - D/B/A Whole Foods  
**Approved**

Enactment No: R-07-600

**B        ORDINANCE - SECOND READING**

None.

**C        ORDINANCE - FIRST READING**

- C-1**    [07-0867](#)    An Ordinance to Repeal Chapter 14, Purchasing Contracting and Selling Procedure, of Title I of the Code of the City of Ann Arbor and Replace it with a new Chapter 14, Purchasing, Contracting and Selling Procedure of Title I of the Code of the City of Ann Arbor (Ordinance No. ORD-07-61)  
**Approved on First Reading**

Enactment No: ORD-07-61

- C-2**    [07-0596](#)    An Ordinance to Amend to Chapter 55, Rezoning of 0.20 Acre from C2A/R (Commercial/Residential District) to PUD (Planned Unit Development) District, 202 South Division Street (CPC Recommendation: Motion to Approve Failed - 4 Yeas and 4 Nays) (Ordinance No. ORD-07-62) (8 Votes Required)  
**Approved on First Reading**

Enactment No: ORD-07-62

**D MOTIONS AND RESOLUTIONS**

**D Old Business:**

None.

**DC New Business - Council:**

**DC-1** [07-1177](#) Resolution to Reject the 2007 Local Officers' Compensation Committee Salary for Mayor

**Sponsors:** Easthope  
**Approved**

**DC-1a** [07-1195](#) Resolution to Reject the 2007 Local Officers' Compensation Committee Salary for Mayor Pro Tem

**Sponsors:** Easthope  
**Approved**

Enactment No: R-07-602

**DC-1b** [07-1194](#) Resolution to Reject the 2007 Local Officers' Compensation Committee Salary for Councilmembers

**Sponsors:** Easthope  
**Approved**

**Added After Newspaper Deadline:**

**DC-2** [07-1188](#) Resolution to Request Preservation of the Existing Channel Locations for the Public, Educational, and Government Access Channels Known as PEG

**Sponsors:** Higgins and Suarez  
**Approved**

Enactment No: R-07-603

**DC-3** [07-1186](#) Resolution to Accept the Donation of The Douglas D. Crary Trust Property Located at 1805 Washtenaw Avenue for a Neighborhood Park, Appropriate Funds in the Amount of \$25,000.00 to Cover Closing and Due Diligence Costs, and Name the Park "Crary Park" (8 Votes Required)

**Sponsors:** Lowenstein  
**Approved**

Enactment No: R-07-604

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

**DB-1** [07-0826](#) Resolution to Approve Ann Arbor Township Annexations (62 Properties) (CPC Recommendation: Approval - 9 Yeas and 0 Nays)

**Approved**

Enactment No: R-07-605

**DS New Business - Staff:**

- DS-1**    [07-0683](#)    Resolution to Approve Professional Services Agreement with CDM Michigan Inc. for the Lime Feed System Improvements Project (\$523,163.00)  
**Approved**

Enactment No: R-07-606

- DS-2**    [07-0689](#)    Resolution to Approve the Lease - Purchase of Two Frontload Refuse Trucks from Bell Equipment Company with Financing from 1st Source Bank (\$470,712.08)  
**Approved**

Enactment No: R-07-607

- DS-3**    [07-0825](#)    Resolution to Approve Amendment No. 1 to Contract with Earth Tech, Inc. for the Provision of Environmental Consulting Services for Broadway Village at Lowertown (\$49,662.00)(8 Votes Required)  
**Approved**

Enactment No: R-07-608

- DS-4**    [07-0830](#)    Resolution to Approve a Payment in Lieu of Taxes (PILOT) for Pear Street Apartments Limited Dividend Housing Association Limited Partnership at 1440 Pear Street  
**Approved**

Enactment No: R-07-609

- DS-5**    [07-0831](#)    Resolution to Approve Street Closings for the 2008 Ann Arbor Summer Festival's "Top of the Park" - June 9 through July 8, 2008  
**Approved**

Enactment No: R-07-610

- DS-6**    [07-0865](#)    Resolution to Extend Deadline for Urban County Task Force Recommendation  
**Approved**

Enactment No: R-07-611

- DS-7**    [07-0690](#)    Resolution No. 3 Setting a Public Hearing on January 7, 2008 to Receive Public Comment on the Proposed Wagner Road Improvements Special Assessment  
**Approved**

Enactment No: R-07-612

- DS-8**    [07-0869](#)    Resolution to Approve a Lease Agreement with Dan-Man I, L.L.C., for 15th Judicial District Court Probation Department Offices (\$53,500.08) (8 Votes Required)  
**Approved**

Enactment No: R-07-613

- DS-9 [07-0673](#) Resolution of Support for DDA Curb Ramp Replacement Project and to Amend the Approved FY 2007/08 DDA Budget and Appropriate for Expenditure Necessary Funds for the Project (\$1,860,000.00) (8 Votes Required)  
**Approved**

Enactment No: R-07-614

**E COMMUNICATIONS FROM THE MAYOR**

- E-1 [07-1190](#) Appointment - Confirmations  
**Received and Filed**

- E-2 [07-1191](#) Appointments - Nominations  
**Received and Filed**

**F COMMUNICATIONS FROM CITY ADMINISTRATOR**

- F-1 [07-0678](#) Public Hearing on Housing and Human Services Needs  
**Received and Filed**

- F-2 [07-0861](#) A2D2 (Ann Arbor Discovering Downtown) - Implementation Update  
**Received and Filed**

**G COMMUNICATIONS FROM CITY ATTORNEY**

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

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

**Passed on consent agenda**

**Approved as presented**

- H-1 [07-0873](#) Communication from S.E.M.C.O.G. regarding their Regional Update Publication, Vol. 12, No. 24 - 11/19/07  
**Approved**

- H-2 [07-0874](#) Comcast Communication regarding Channel Line Up changes for Channels 16, 17, 18 and 19 - cc. CTN  
**Approved**

- H-3 [07-0875](#) Communication from Governor Granholm regarding the Michigan Renewable Resources Act  
**Approved**

- H-4 [07-0876](#) Communication from Pittsfield Charter Township regarding a Public Hearing on Valley Ranch Business Park  
**Approved**

- H-5     [07-0877](#)     Communication from Comcast regarding NOGGIN & The N networks separating into two 24-hour services - cc: CTN  
**Approved**
- H-6     [07-0881](#)     2007 Local Officers Compensation Commission Determination  
**Approved**
- H-7     [07-0883](#)     Objection to Proposed Rezoning of Lower Burns Park Neighborhood, Dated November 27, 2007 and Received from Todd A. Wyatt, President of Touchstone Corp. - cc: Planning and Development Services  
**Approved**
- H-8     [07-0885](#)     Communication dated November 27, 2007 from Michigan Department of Treasury, Frederick Headen, Director, Bureau of Local Government Services regarding Fiscal Distress Indicator Score for the City of Ann Arbor - cc: Tom Crawford, CFO  
**Approved**
- H-9     [07-1182](#)     Communication from Transwestern Investment Company regarding a Request from ProQuest to Establish an Industrial Development District at 777 and 789 Eisenhower Parkway - cc: City Assessor, Finance  
**Approved**
- H-10    [07-1189](#)     Communication from Sean Bennette regarding City Human Rights enforcement performance and reliability  
**Approved**
- H-11    [07-1192](#)     Communication from Peter and Henrietta Heydon regarding opposition of the proposed 202 South Division Street PUD Zoning District - cc: Planning and Development Services  
**Approved**
- H-12    [07-1193](#)     Communication from Comcast regarding expansion of service center hours at the Ann Arbor Service Center on Washtenaw Avenue - File  
**Approved**

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

- I-1     [07-0731](#)     Ann Arbor Downtown Development Authority Minutes - October 3, 2007
- I-2     [07-0732](#)     Ann Arbor Downtown Development Authority Mid-Year Retreat Minutes - October 16, 2007
- I-3     [07-0832](#)     Greenbelt Advisory Commission Minutes - July 9, 2007 and September 5, 2007
- I-4     [07-0852](#)     Ann Arbor Housing Commission Minutes - October 24, 2007
- I-5     [07-0882](#)     Local Officers Compensation Commission - November 15 and December 5, 2007

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

1. Ann Arbor Resident - Comcast

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

**07-1198** Resolution to settle Litigation Case No. 07888CH - City of Ann Arbor v. Alpha Tau Omega Beta Lambda Alumni Association  
**Approved**

Enactment No: R-07-615

**ADJOURNMENT**

Adjourn

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

**LIVE: MONDAY, DECEMBER 17, 2007, 7:00 P.M.**  
**REPLAYS: TUESDAY, DECEMBER 18, 2007, 10:00 A.M.**  
**FRIDAY, DECEMBER 21, 2007, 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.**