

**ANN ARBOR CITY COUNCIL MINUTES
REGULAR SESSION - AUGUST 21, 2006**

Mayor John Hieftje called the regular session of the Ann Arbor City Council to order at 7:06 p.m. in the City Hall Council Chamber, 100 N. Fifth Avenue, Ann Arbor.

Council stood for a moment of silence.

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

ROLL CALL OF COUNCIL

PRESENT : Councilmembers John Roberts, Robert M. Johnson, Joan Lowenstein, Stephen Rapundalo, Jean Carlberg, Leigh Greden, Margie Teall, Christopher Easthope, Mayor John Hieftje, 9.

ABSENT : Councilmembers Marcia Higgins, Councilmember Wendy A. Woods, 2.

INTRODUCTIONS

None.

PUBLIC COMMENTARY - RESERVED TIME

NEW PARK MAINTENANCE AND CAPITAL IMPROVEMENTS MILLAGE PROPOSAL

The following people addressed Council regarding the Park Maintenance and Capital Improvements Millage Proposal:

Karen Sidney, 100 Longman, spoke in opposition of the proposed Park Maintenance and Capital Improvements Millage Proposal and questioned the management of the parks system.

Gwen Nystuen, 1016 Olivia, spoke in support of the proposed Park Maintenance and Capital Improvements Millage Proposal.

Margaret Wong, 418 S. First Street, expressed concern with the proposed Park Maintenance and Capital Improvements Millage Proposal.

DOUG COWHERD – LIMITATIONS ON CONTRACTUAL POWER TO SELL PARKS

Doug Cowherd, 717 Brooks Street, spoke in support of a charter amendment to limit the sale of parkland through a public vote. Mr. Cowherd expressed concerns about the proposed Park Maintenance and Capital Improvements millage and the future of parks funding.

WILLIAM TEHOY – AATA

William Tehoy, 2929 Easy Street, expressed concern regarding Ann Arbor Transportation Authority policies and its current board membership.

DAVID BOYLE – CITY ELECTIONS

David Boyle, member of the public, addressed Council regarding city elections and political signs and campaigning near polling places.

MARCIA FEDERBUSH – DIVESTMENT FROM ISRAEL

Marcia Federbush, 2000 Anderson Court, addressed Council regarding divestment from Israel.

JUDY BONNELL-WENZEL – DIVESTMENT FROM ISRAEL

Judy Bonnell-Wenzel, 2771 Braeburn Circle, addressed Council regarding children being killed in the war against Palestine.

BLAINE COLEMAN – PALESTINE

Blaine Coleman, P. O. Box 7038, asked that Council stop funding the war in Palestine and also recognized the presence of A.F.S.C.M.E. members in the audience.

NANCY SYLVESTER – A.F.S.C.M.E.

Nancy Sylvester, City of Ann Arbor employee, vice president of A.F.S.C.M.E., addressed council regarding the current labor negotiations with the City.

PUBLIC HEARINGS

None.

APPROVAL OF AGENDA

AGENDA APPROVED WITH CHANGES

Councilmember Carlberg moved, seconded by Councilmember Greden, that the agenda be approved with the following changes:

CLOSED SESSION TO DISCUSS ATTORNEY/CLIENT PRIVILEGED COMMUNICATION

Move: CLOSED SESSION TO DISCUSS ATTORNEY/CLIENT PRIVILEGED COMMUNICATION (**Discussion moved to Motions and Resolutions section of the agenda**)

ORDINANCES – SECOND READING

Separate: Amendment to Chapter 55, Rezoning of 0.20 Acre from C2B/R (Business Service/Residential District) to C2A/R (Commercial Residential District), Metro 202, 202 South Division Street (**8 Votes Required**) (Ordinance No. 5-06) **Postponed from the 4/3/06, 4/17/06 and 6/19/06 regular sessions**~~[(To be heard with Metro 202 Resolution)]~~

MOTIONS AND RESOLUTIONS

Separate: Resolution to Approve Metro 202 Planned Project Site Plan and Development Agreement, 0.20 Acre, 202 South Division Street (Planning Commission Recommendation: Approval – 9 Yeas and 0 Nays) (Planning and Development Services – Jayne Miller, Community Services Area Administrator) **Postponed from the 4/3/06, 4/17/06 and 6/19/06 regular sessions** ~~[(To be heard with Metro 202 Ordinance-)]~~

Added After Newspaper Deadline:

Add: Resolution to Nominate a Member of the City of Ann Arbor Environmental Commission (Councilmember Carlberg) **Added 8/17/06**

Add: Resolution Dedicating Ann Arbor Fire Station #3 in Memory of Firefighter Amy Schnearle-Pennywitt (Councilmembers Rapundalo, Greden, Easthope and Higgins) **Added 8/21/06**

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

APPROVAL OF COUNCIL MINUTES

MINUTES OF AUGUST 10, 2006 APPROVED

Councilmember Rapundalo moved, seconded by Councilmember Greden, that the regular session minutes of August 10, 2006 be approved as presented.

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

CONSENT AGENDA

CONSENT AGENDA ITEMS APPROVED

Councilmember Teall moved, seconded by Councilmember Lowenstein, that the following Consent Agenda items be approved as presented:

R-373-8-06 APPROVED

RESOLUTION AUTHORIZING WATER IMPROVEMENT CHARGE FOR 1859 NEWPORT ROAD

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 09-09-19-111-003 (1859 Newport Road)
8" Sanitary Sewer in Newport Road
Constructed in 2004

12" Water Main in Newport Road:
Constructed in 1965
\$7.2652/front ft * 150.25 ft = \$1,091.60

GRAND TOTAL OF IMPROVEMENT CHARGES = \$1,091.60

Whereas, The owner of 1859 Newport Road was previously connected to water and sewer;

Whereas, The owner of 1859 Newport Road was annexed into the City of Ann Arbor on July 8, 2003, as notified by the State of Michigan;

Whereas, The sewer improvement charges are currently being assessed to the owner of 1859 Newport Road as of 2005;

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

1. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

<u>Annexation Address from Scio Township:</u>	1859 Newport Road
<u>City Assessor Code:</u>	09-09-19-111-003
<u>Planning File No.:</u>	9191V10.1 and .2

COM AT NW COR OF OF THE W 1/2 OF THE NE 1/4 OF SEC 19, T2S, R6E, TH S 00 DEG 15' 30" W 350.72 FT' TH N 88 DEG 55' 00" W 55.01 FT TO THE POB; TH N 88 DEG 55' 00" W 153 FT; TH S 00 DEG 15' 30" W 108.76 FT; TH S 73 DEG 48' 15" E 159.10 FT; TH N 00 DEG 15' 30" E 150.25 FT TO THE POB; BEING PRT OF THE NE 1/4 OF SEC 19, T2S, R6E; previously Ann Arbor Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

2. That the improvement charge levied be \$1,091.60;
3. That this improvement charge be paid in 1 installment; the first and only installment to be due on October 5, 2006;
4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owner, John D. Lindner, of the property known as 1859 Newport Road, City of Ann Arbor, Washtenaw County, Michigan 48103, and to be credited in the amount of \$1,091.60 to Fund 0042-073-8000-7151.

R-374-8-06 APPROVED

RESOLUTION AUTHORIZING SANITARY SEWER AND WATER IMPROVEMENT CHARGES FOR 2615 VALLEY DRIVE

Whereas, The City has previously constructed sanitary sewer and water improvements described as follows:

Parcel ID 08-24-417-010 (2615 Valley Drive)	
<u>8" Sanitary Sewer:</u>	
Constructed in 1967	
1 connection =	\$689.75
<u>8" Water Main:</u>	
Constructed in 1968	
\$379.73/connection * 1 connection =	\$379.73

GRAND TOTAL OF IMPROVEMENT CHARGES = \$1,069.48

Whereas, The owner of 2615 Valley Drive was previously connected to water and sewer;

Whereas, The owner of 2615 Valley Drive petitioned to annex to the City of Ann Arbor on March 29, 2005, and annexation was completed on February 1, 2006, as notified by the State of Michigan;

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED,

- 5. That Council levy an improvement charge against the following annexed property which is specifically benefited by the above improvements:

<u>Annexation Address from Scio Township:</u>	2615 Valley Drive
<u>City Assessor Code:</u>	08-24-417-010
<u>Planning File No.:</u>	8244A16.1 and .2

LOT 48 & E ½ of LOT 49, SCIOTO HILLS. PT SE ¼, SEC 24, T2S-R5E; previously Scio Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

6. That the improvement charge levied be \$1,069.48;
7. That this improvement charge be paid in 1 installment; the first and only installment to be due on October 5, 2006;

8. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owners of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge is to be invoiced to the owners, Milledge D. Bullard & Phyllis D. Bullard, husband & wife, of the property known as 2615 Valley Drive, City of Ann Arbor, Washtenaw County, Michigan 48103, and to be credited in the amount of \$689.75 to Fund 0043-073-8000-7151 and \$379.73 to Fund 0042-073-8000-7151.

R-375-8-06 APPROVED

RESOLUTION AMENDING OUTSIDE CITY SERVICE AGREEMENT, LEVYING IMPROVEMENT CHARGES, AND AUTHORIZING PAYMENT PLAN FOR SANITARY SEWER IMPROVEMENT CHARGES FOR 3261 DEXTER ROAD

Whereas, On March 31, 2005, the owner of the property at 3261 Dexter Road requested that the City extend public water and sewer service to the property in Scio Township prior to the completion of the annexation process;

Whereas, On August 15, 2005, Council approved water and sewer service outside the City limits to the property known as 3261 Dexter Road;

Whereas, The property owner has paid the water improvement charge of \$362.11 and requests a payment plan for the sanitary sewer improvement charge of \$7,043.13 as part of their Outside City Service Agreement;

Whereas, It is necessary to revise the sewer agreement to include a payment plan;

Whereas, The property annexed into the City of Ann Arbor on February 1, 2006, as notified by the State of Michigan; and

Whereas, Pursuant to Section 1:278, Chapter 12, of the Code of the City of Ann Arbor, the fair share of the cost of said improvements is levied against certain properties and this fair share has not been previously paid nor contracted for;

RESOLVED, That Council approve a payment plan for the sanitary sewer improvement charge as part of the "Sanitary Sewer Service Agreement" for 3261 Dexter Road as explained below; and

RESOLVED,

- 1. That Council levy the sewer improvement charge against the following annexed property which is specifically benefited by the sanitary sewer improvement:

Annexation Address from Scio Township:	3261 Dexter Road
Property ID Code:	08-24-304-018
Planning File No.:	8243P16

LOT 146 AND 3 FT OFF E'LY SIDE OF LOT 147, THE EVERGREENS. PT SW 1/4 SEC 24, T2S-R5E, .020 AC; previously Scio Township and now situated in the City of Ann Arbor, Washtenaw County, Michigan;

- 2. That the improvement charge levied be \$7,043.13
- 3. That this improvement charge be divided into 6 equal installments; the first to be due on October 5, 2006, and the 5 subsequent installments to be due on June 1 of each and every year thereafter, with the deferred installments of the improvement charge to bear interest at the rate of 6.9% per annum commencing October 5, 2006;
- 4. That the Public Services Area be directed to send a copy of this resolution by first class mail to the owner of the property and to promptly have this resolution recorded in the office of the Register of Deeds of Washtenaw County, Michigan; and

That this levied improvement charge be invoiced to the owner, Rose Ann Yurko, of the property known as 3261 Dexter Road, City of Ann Arbor, Washtenaw County, Michigan, and to be credited in the amount of \$7,043.13 to Fund 0043-073-8000-7151.

R-376-8-06 APPROVED

RESOLUTION TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH QUINN EVANS ARCHITECTS FOR COMMUNITY SECURITY & PUBLIC SPACE TASK FORCE CONSULTING SERVICES

Whereas, The City Council adopted Resolution R-69-2-06 to establish the Community Security & Public Space Task Force;

Whereas, The Community Security & Public Space Task Force is charged with a mandate to consider the City's current office, police, and court space, security, and public space needs;

Whereas, The Community Security & Public Space Task Force will need additional expertise and has identified an additional work plan to complete several critical task related to the project;

Whereas, The proposed scope of additional services in an amount not to exceed \$36,700 will include a study to determine the cost/benefit of renovating the current structure for future years, prepare an updated concept design package, and facilitate focus group and public meetings to assist in presenting the concept design; and

Whereas, There are sufficient funds in the 2006-07 City Administrator Budget to fund these services;

RESOLVED, That City Council approve an amendment to the professional services contract with Quinn Evans Architects for the additional scope of work identified in the project approach/work plan dated July 11, 2006 not to exceed \$36,700.00 for a total contract amount of \$61,307.00; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the amendment to the professional services agreement between the City and Quinn Evans Architects, subject to approval as to substance by the City Administrator and subject to approval as to form by the City Attorney.

The question being the foregoing Consent Agenda items as presented, on a voice vote, the Mayor declared the motion carried.

ORDINANCES - SECOND READING

5-06 APPROVED

METRO 202 ZONING
(202 SOUTH DIVISION STREET)

An Ordinance to Amend the Zoning Map Being a Part of
Chapter 55 of Title V of the Code of the City of Ann Arbor

This ordinance would change the zoning of 0.20 acre, located at 202 S. Division St., from C2B/4 (Business Service/Residential District) to C2A/R (Commercial Residential District). (The complete text of Ordinance 5-06 is on file in the City Clerk's Office.)

Councilmember Johnson moved, seconded by Councilmember Roberts, that the ordinance be adopted at second reading.

Councilmember Greden recused himself from discussion and voting on this ordinance.

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

ORDINANCES - FIRST READING

None.

MOTIONS AND RESOLUTIONS

POSTPONED

RESOLUTION TO PLACE A PROPOSITION TO AMEND THE ANN ARBOR CITY
CHARTER SECTION GOVERNING ELIGIBILITY FOR CITY OFFICE ON THE
NOVEMBER 7, 2006 GENERAL ELECTION BALLOT

Whereas, Section 12.2 of the City Charter currently reads:

Eligibility for City Office-General Qualifications

SECTION 12.2. Except as otherwise provided in this charter, a person is eligible to hold a City office if the person has been a registered elector of the

City, or of territory annexed to the City or both, and, in the case of a Council Member, a resident of the ward from which elected, for at least one year immediately preceding election or appointment. This requirement may be waived as to appointive officers by resolution concurred in by not less than seven members of the Council.

;and

Whereas, The eligibility requirements for elective officers have been voided by decisions of United States District Court; and

Whereas, It is necessary to establish valid and enforceable eligibility requirements for elective officers; and

Whereas, Residency requirements for city employees have been invalidated by state statute; and

Whereas, The City may benefit from the membership on City boards and commissions of persons who are residents of the City, but are not registered voters; and

Whereas, fewer restrictions on holding office are more consistent with open and democratic government;

RESOLVED, That the following amended charter provision be placed on the ballot and submitted to the voters at the next general city election:

Eligibility for City Elective Office-General Qualifications

SECTION 12.2. Except as otherwise provided in this charter, a person is eligible to hold a City ~~elective~~ office **IF, AT THE TIME OF ELECTION OR APPOINTMENT TO THAT OFFICE,** the person is a registered elector of the City ~~[the territory annexed to the City or both]~~ and, in the case of a Council Member, ~~[a resident]~~ of the ward from which ~~[elected for at least one year immediately preceding election or appointment]~~ **ELECTION IS SOUGHT OR APPOINTMENT IS MADE. A PERSON IS ELIGIBLE TO HOLD PUBLIC APPOINTIVE OFFICE AS A VOLUNTEER IF THAT PERSON IS A RESIDENT OF THE CITY.** ~~[This]~~ **THE RESIDENCY** requirement may be waived as to **VOLUNTEER** appointive officers by resolution concurred in by not less than seven members of the Council.

RESOLVED, That November 7, 2006, be designated as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by the law for holding the election;

RESOLVED, That the proposed Charter amendment shall appear on the ballot in the following form, which includes the statement of purpose:

ANN ARBOR CITY CHARTER AMENDMENT ESTABLISHING ELIGIBILITY REQUIREMENTS FOR ELECTED AND VOLUNTEER APPOINTED OFFICES

Shall the Charter be amended to require that the Mayor and Council Members be registered electors of the City, and the Council Members of their wards, on the date they are elected or appointed to office and to require that volunteer appointed officers be residents **INSTEAD OF** than registered electors in the City?

Yes No

Councilmember Lowenstein moved, seconded by Councilmember Carlberg, that the resolution be adopted.

Councilmember Lowenstein moved, seconded by Councilmember Easthope, to postpone the resolution to a date uncertain.

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

R-377-8-06 APPROVED AS AMENDED

(RESOLUTION TO APPROVE A NEW PARK MAINTENANCE AND CAPITAL IMPROVEMENTS MILLAGE PROPOSAL FOR SUBMISSION TO THE VOTERS AT THE NOVEMBER 2006 ELECTION)

Councilmember Johnson moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

Councilmember Rapundalo moved, seconded by Councilmember Easthope, to amend the resolution as follows:

... Section 8.19. In addition to any other amount which the City is authorized to raise by general tax upon the real and personal property by this Charter or any other provision of law, the City shall, in [~~2004 through 2006~~ **2007 THROUGH 2012**], annually levy a tax of [~~.470101~~ **.25** ~~10~~ **10**] mills on all taxable real and personal property situated within the City for the purpose of [~~providing funds for financing the improvement, rehabilitation and construction of park facilities~~] **FINANCING PARK MAINTENANCE ACTIVITIES IN THE FOLLOWING CATEGORIES: FORESTRY AND HORTICULTURE, NATURAL AREA PRESERVATION, PARK OPERATIONS, PARK EQUIPMENT REPAIRS, PARK SECURITY, AND RECREATION FACILITIES; AND FOR THE PURPOSE OF FINANCING PARK CAPITAL IMPROVEMENT PROJECTS FOR ACTIVE PARKS, FORESTRY AND HORTICULTURE, HISTORIC PRESERVATION, NEIGHBORHOOD PARKS AND URBAN PLAZAS, PATHWAYS, TRAILS, BOARDWALKS, GREENWAYS, THE HURON RIVER WATERSHED, RECREATION FACILITIES AND PARK EQUIPMENT ACQUISITIONS.** ...

...

**ANN ARBOR CITY CHARTER AMENDMENT
AUTHORIZING NEW TAX FOR PARK MAINTENANCE AND
CAPITAL IMPROVEMENTS**

Shall the Charter be amended to authorize a new tax up to 1.~~25~~ **25 ~~10~~ **10** mills for park maintenance and capital improvements for 2007 through 2012, which will raise in the first year of the levy an estimated total revenue of \$~~5,691,760~~ **4,886,585**?**

Yes

No ...

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Easthope, Roberts, Lowenstein, Rapundalo, Mayor Hieftje, 7;

Nays, Johnson, Teall, 2.

The Mayor declared the motion carried.

The question being the resolution as amended, on roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Roberts, Johnson, Lowenstein, Rapundalo, Mayor Hieftje, 9;

Nays, 0.

The Mayor declared the motion carried unanimously.

The resolution as amended reads as follows:

RESOLUTION TO APPROVE A NEW PARK MAINTENANCE AND CAPITAL
IMPROVEMENTS MILLAGE PROPOSAL FOR SUBMISSION TO THE VOTERS AT
THE NOVEMBER 2006 ELECTION

Whereas, The Park Rehabilitation and Development Millage and the Park Repair and Restoration Millage have been the principal funding sources for the City's park and recreation capital improvement programs and park repair and restoration;

Whereas, The Park Rehabilitation and Development Millage was approved by the voters in 2000 for six years and the Park Repair and Restoration Millage was approved by the voters in 2002 for four years; and

Whereas, The Park Rehabilitation and Development Millage and the Park Repair and Restoration Millage will expire in 2006;

Whereas, With the expiration of the two millages approaching, a Task Force consisting of Park Advisory Commission and City staff members was created to develop different funding options;

Whereas, The Task Force sought public input on funding options during several community forums in March, May and June;

Whereas, Over the past several years, a number of undeveloped park areas have been developed to meet the community demands for more active park areas;

Whereas, Over the past several years, general fund resources available for park maintenance activities have been reduced, consistent with other general fund reductions throughout the City;

Whereas, The combination of these forces has resulted in elongated maintenance cycles across the system, which do not meet national or community standards;

Whereas, It is in the City's best interest to present a new millage to the voters which supports the consolidation of the objectives of the expiring millages and provides essential resources for the ongoing maintenance and improvement of the parks system; and

Whereas, The Park Advisory Commission, at its July 18, 2006 meeting unanimously supported this ballot proposal;

RESOLVED, That City Council amend Section 8.19 of the City Charter, as follows:

Funds for Park [~~Maintenance and Capital Improvement~~]**MAINTENANCE AND CAPITAL IMPROVEMENTS**

Section 8.19. In addition to any other amount which the City is authorized to raise by general tax upon the real and personal property by this Charter or any other provision of law, the City shall, in [~~2001 through 2006~~]**2007 THROUGH 2012**, annually levy a tax of [~~.47010~~]**1.25** mills on all taxable real and personal property situated within the City for the purpose of [~~providing funds for financing the improvement, rehabilitation and construction of park facilities~~]**FINANCING PARK MAINTENANCE ACTIVITIES IN THE FOLLOWING CATEGORIES: FORESTRY AND HORTICULTURE, NATURAL AREA PRESERVATION, PARK OPERATIONS, PARK EQUIPMENT REPAIRS, PARK SECURITY, AND RECREATION FACILITIES; AND FOR THE PURPOSE OF FINANCING PARK CAPITAL IMPROVEMENT PROJECTS FOR ACTIVE PARKS, FORESTRY AND HORTICULTURE, HISTORIC PRESERVATION, NEIGHBORHOOD PARKS AND URBAN PLAZAS, PATHWAYS, TRAILS, BOARDWALKS, GREENWAYS, THE HURON RIVER WATERSHED, RECREATION FACILITIES AND PARK EQUIPMENT ACQUISITIONS.**

RESOLVED, That City Council delete Section 8.22 of the City Charter in its entirety;

RESOLVED, That City Council designate November 7, 2006 as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the City Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election;

RESOLVED, That the proposed Charter amendment shall appear on the ballot in the following form:

**ANN ARBOR CITY CHARTER AMENDMENT
AUTHORIZING NEW TAX FOR PARK MAINTENANCE AND
CAPITAL IMPROVEMENTS**

Shall the Charter be amended to authorize a new tax up to 1.10 mills for park maintenance and capital improvements for 2007 through 2012, which will raise in the first year of the levy an estimated total revenue of \$4,886, 585?

Yes

No

PURPOSE OF AMENDMENT

The amendment is proposed for the purpose of consolidating previously authorized and expiring tax millages for park rehabilitation and development (Section 8.19) and park repair and restoration (Section 8.22) as part of a new tax for park maintenance and capital improvements in Section 8.19. The amendment also deletes Section 8.22 (park repair and restoration).

RESOLVED, That the proposed Charter amendment and proposed ballot question shall be published in The Ann Arbor News not less than seven days before the election in substantially the form prescribed by MCL §168.653(a)(1) and include a caption or brief description of the proposal along with the location(s) where an elector can obtain the full text of the proposal; and

RESOLVED, That if the amendment is adopted, it shall take effect on January 1, 2007.

R-378-8-06 APPROVED AS AMENDED

(RESOLUTION OF INTENT ON THE ADMINISTRATION OF PARK MAINTENANCE AND CAPITAL IMPROVEMENTS MILLAGE)

Councilmember Johnson moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

Councilmember Johnson moved, seconded by Councilmember Rapundalo, to amend the resolution as follows:

1st RESOLVED Clause:

...RESOLVED, That City Council adopt the following policy guidelines for the Park Maintenance and Capital Improvements Millage:

1. Adoption of the Funding Distribution Guidelines as stipulated in Attachment A;
2. Annual allocation for maintenance is to be between 60% and 80% and capital improvements is to be between 20% and 40% with a total annual allocation being 100%;
3. The Natural Area Preservation Program budget be established at a minimum of \$700,000 for first year of the millage budget and that it receive a minimum 3% annual increase for each of the subsequent five years of the millage to enhance the stewardship of increased acreage of natural park areas;
4. If future reductions are necessary in the City’s general fund budget during any of the six years of this millage, **BEGINNING IN THE FISCAL YEAR 2007-2008**, the

- general fund budget supporting the parks and recreation system, **AFTER SUBTRACTING THE REVENUE OBTAINED FROM FEES FROM PARKS AND RECREATION**, will be reduced no greater than the average percentage reduction, for each particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;
5. If future increases occur in the City's general fund budget during any of the six years of this millage, **BEGINNING IN THE FISCAL YEAR 2007-2008**, the general fund budget supporting the parks and recreation system, **AFTER SUBTRACTING THE REVENUE OBTAINED FROM FEES FROM PARKS AND RECREATION**, will be increased at the same rate as the average percentage increase, for each particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;...

Following further discussion, Councilmember Johnson withdrew the amendments.

Councilmember Johnson moved, seconded by Councilmember Rapundalo, to amend the resolution as follows:

1st RESOLVED Clause:

...RESOLVED, That City Council adopt the following policy guidelines for the Park Maintenance and Capital Improvements Millage:

1. Adoption of the Funding Distribution Guidelines as stipulated in Attachment A;
2. Annual allocation for maintenance is to be between 60% and 80% and capital improvements is to be between 20% and 40% with a total annual allocation being 100%;
3. The Natural Area Preservation Program budget be established at a minimum of \$700,000 for first year of the millage budget and that it receive a minimum 3% annual increase for each of the subsequent five years of the millage to enhance the stewardship of increased acreage of natural park areas;
4. If future reductions are necessary in the City's general fund budget during any of the six years of this millage, **BEGINNING IN THE FISCAL YEAR 2007-2008**, the general fund budget supporting the parks and recreation system will be reduced no greater than the average percentage reduction, for each particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;
5. If future increases occur in the City's general fund budget during any of the six years of this millage, **BEGINNING IN THE FISCAL YEAR 2007-2008**, the general fund budget supporting the parks and recreation system will be increased at the same rate as the average percentage increase, for each

particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;...

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

Councilmember Johnson moved, seconded by Councilmember Rapundalo, to amend the resolution as follows:

1st RESOLVED Clause:

...RESOLVED, That City Council adopt the following policy guidelines for the Park Maintenance and Capital Improvements Millage:

1. Adoption of the Funding Distribution Guidelines as stipulated in Attachment A;
2. Annual allocation for maintenance is to be between 60% and 80% and capital improvements is to be between 20% and 40% with a total annual allocation being 100%;
3. The Natural Area Preservation Program budget be established at a minimum of \$700,000 for first year of the millage budget and that it receive a minimum 3% annual increase for each of the subsequent five years of the millage to enhance the stewardship of increased acreage of natural park areas;
4. If future reductions are necessary in the City's general fund budget during any of the six years of this millage, beginning in the fiscal year 2007-2008, the general fund budget supporting the parks and recreation system, **AFTER SUBTRACTING THE REVENUE OBTAINED FROM FEES FROM PARKS AND RECREATION**, will be reduced no greater than the average percentage reduction, for each particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;
5. If future increases occur in the City's general fund budget during any of the six years of this millage, beginning in the fiscal year 2007-2008, the general fund budget supporting the parks and recreation system, **AFTER SUBTRACTING THE REVENUE OBTAINED FROM FEES FROM PARKS AND RECREATION**, will be increased at the same rate as the average percentage increase, for each particular year, of the rest of the City general fund budget for each of the applicable six years of this millage;...

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Roberts, Johnson, Lowenstein, Rapundalo, Mayor Hieftje, 9;

Nays, 0.

The Mayor declared the motion carried.

Councilmember Lowenstein moved, seconded by Councilmember Easthope, to amend the resolution as follows:

1st RESOLVED Clause:

...

4. If future reductions are necessary in the City's general fund budget, **NOT INCLUDING THE BUDGET FOR SAFETY SERVICES**, during any of the six years of this millage, beginning in the fiscal year 2007-2008, the general fund budget supporting the parks and recreation system, after subtracting the revenue obtained from fees from parks and recreation, will be reduced no greater than the average percentage reduction, for each particular year, of the rest of the City general fund budget, **NOT INCLUDING THE BUDGET FOR SAFETY SERVICES**, for each of the applicable six years of this millage;
5. If future increases occur in the City's general fund budget, **NOT INCLUDING THE BUDGET FOR SAFETY SERVICES**, during any of the six years of this millage, beginning in the fiscal year 2007-2008, the general fund budget supporting the parks and recreation system, after subtracting the revenue obtained from fees from parks and recreation, will be increased at the same rate as the average percentage increase, for each particular year, of the rest of the City general fund budget, **NOT INCLUDING THE BUDGET FOR SAFETY SERVICES**, for each of the applicable six years of this millage;...

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Roberts, Lowenstein, Rapundalo, Mayor Hieftje, 8;

Nays, Johnson, 1.

The Mayor declared the motion carried.

Councilmember Johnson moved, seconded by Councilmember Roberts, to amend the resolution as follows:

1st RESOLVED Clause:

- ... 6. **CITY COUNCIL WILL VERIFY THESE EXPENDITURES BY EXAMINING THE AUDIT STATEMENT FOR EACH YEAR. ...**

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

The question being the resolution as amended, on roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Roberts, Johnson, Lowenstein, Rapundalo, Mayor Hieftje, 9;

Nays, 0.

The Mayor declared the motion carried unanimously.

The resolution as amended reads as follows:

**RESOLUTION OF INTENT ON THE ADMINISTRATION OF PARK MAINTENANCE
AND CAPITAL IMPROVEMENTS MILLAGE**

Whereas, It is the intent that City Council present to the voters a ballot issue which would consolidate the existing Park Rehabilitation and Development and Park Repair and Restoration millages into a Park Maintenance and Capital Improvements Millage;

Whereas, There is a need to establish policy guidelines for administration of millage funds consistent with the proposed ballot language;

Whereas, The City Council wants to inform the voters of the manner in which it intends to oversee the administration of the consolidated millage if the proposed millage is approved by the voters;

Whereas, The Park Advisory Commission, at its July 18, 2006 meeting unanimously supported this intent resolution; and

Whereas, A Park Maintenance and Capital Improvements Millage Administration Policy has been developed that includes the following;

RESOLVED, That City Council adopt the following policy guidelines for the Park Maintenance and Capital Improvements Millage:

1. Adoption of the Funding Distribution Guidelines as stipulated in Attachment A;
2. annual allocation for maintenance is to be between 60% and 80% and capital improvements is to be between 20% and 40% with a total annual allocation being 100%;
3. The Natural Area Preservation Program budget be established at a minimum of \$700,000.00 for first year of the millage budget and that it receive a minimum 3%

- annual increase for each of the subsequent five years of the millage to enhance the stewardship of increased acreage of natural park areas;
4. If future reductions are necessary in the City's general fund budget, not including the budget for Safety Services, during any of the six years of this millage, beginning in the fiscal year of 2007-2008, the general fund budget supporting the parks and recreation system, after subtracting the revenue obtained from fees for Parks and Recreation, will be reduced no greater than the average percentage reduction, for each particular year, of the rest of the City general fund budget, not including the budget for Safety Services, for each of the applicable six years of this millage;
 5. If future increases occur in the City's general fund budget, not including the budget for Safety Services, during any of the six years of this millage, beginning in the fiscal year of 2007-2008, the general fund budget supporting the parks and recreation system, after subtracting the revenue obtained from fees for Parks and Recreation, will be increased at the same rate as the average percentage increase, for each particular year, of the rest of the City general fund budget, not including the budget for Safety Services, for each of the applicable six years of this millage;
 6. City Council will verify these expenditures by examining the audit statement for each year.
 7. The millage will not be subject to a municipal service charge;
 8. The millage may be subject to appropriate information technology and fleet charges;
 9. If the millage is not renewed after the six years, the Natural Area Preservation Program will receive the same percentage of any remaining fund balance from the Park Maintenance and Capital Improvements Millage as was in the approved budgeted in the sixth year of the millage; and

RESOLVED, That if the millage is adopted, the City Administrator is directed to develop an annual millage budget for review and recommendation by the Park Advisory Commission with final adoption by City Council consistent with this Resolution.

Note: City Council amended the resolution again at a meeting held on October 3, 2006.

The resolution as amended on October 3, 2006 reads as follows:

RESOLUTION OF INTENT ON THE ADMINISTRATION OF PARK MAINTENANCE
AND CAPITAL IMPROVEMENTS MILLAGE

Whereas, It is the intent that City Council present to the voters a ballot issue which would consolidate the existing Park Rehabilitation and Development and Park Repair and Restoration millages into a Park Maintenance and Capital Improvements Millage;

Whereas, There is a need to establish policy guidelines for administration of millage funds consistent with the proposed ballot language;

Whereas, The City Council wants to inform the voters of the manner in which it intends to oversee the administration of the consolidated millage if the proposed millage is approved by the voters;

Whereas, The Park Advisory Commission, at its July 18, 2006 meeting unanimously supported this intent resolution; and

Whereas, A Park Maintenance and Capital Improvements Millage Administration Policy has been developed that includes the following;

RESOLVED, That City Council adopt the following policy guidelines for the Park Maintenance and Capital Improvements Millage:

1. Adoption of the Funding Distribution Guidelines as stipulated in Attachment A;
2. Annual allocation for maintenance is to be between 60% and 80% and capital improvements is to be between 20% and 40% with a total annual allocation being 100%;
3. The Natural Area Preservation Program budget be established at a minimum of \$700,000 for first year of the millage budget and that it receive a minimum 3% annual increase for each of the subsequent five years of the millage to enhance the stewardship of increased acreage of natural park areas;
4. If future reductions are necessary in the City's general fund budget, during any of the six years of this millage, beginning with Fiscal Year 2007-2008, the general fund budget supporting the parks and recreation system for that year will be reduced by a percentage no greater than the average percentage reduction of the total City general fund budget;
5. If future increases occur in the City's general fund budget during any of the six years of this millage, beginning with Fiscal Year 2007-2008, the general fund budget supporting the parks and recreation system for that year will be increased at the same rate as the average percentage increase of the total City general fund budget;
6. City Council will verify these expenditures by examining the audit statement for each year.
7. The millage will not be subject to a municipal service charge;
8. The millage may be subject to appropriate information technology and fleet charges;
9. If the millage is not renewed after the six years, the Natural Area Preservation Program will receive the same percentage of any remaining fund balance from

the Park Maintenance and Capital Improvements Millage as was in the approved budgeted in the sixth year of the millage; and

RESOLVED, That if the millage is adopted, the City Administrator is directed to develop an annual millage budget for review and recommendation by the Park Advisory Commission with final adoption by City Council consistent with this Resolution.

DEFEATED

RESOLUTION TO APPROVE METRO 202 PLANNED PROJECT SITE PLAN AND DEVELOPMENT AGREEMENT

Whereas, Division Street Parking, LLC, has requested site plan approval in order to construct a nine-story, 53,454-square foot building for retail/commercial uses on the first floor and 44 residential units on the remaining floors;

Whereas, Division Street Parking, LLC, has also requested planned project modifications from the front setback requirements of Chapter 55 (Zoning);

Whereas, A development agreement has been prepared to address public and private utilities, on-site storm water management, a park contribution, footing drain disconnections, the provision of 27 off-site parking spaces, periodic settlement surveys of adjacent historic buildings, and performance of video or other form of documentation of the foundation or other visible structural elements;

Whereas, The Ann Arbor City Planning Commission, on January 19, 2006, recommended approval of said request;

Whereas, The contemplated development will comply with all applicable state, local and federal law, ordinances, standards and regulations;

Whereas, The development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land, applying criteria for reviewing a natural features statement of impact set forth in Chapter 57; and

Whereas, The development would not cause a public or private nuisance and would not have a detrimental effect on the public health, safety or welfare;

RESOLVED, That City Council approve the Development Agreement, substantially in the form of that attached, dated March 8, 2006;

RESOLVED, That the Mayor and City Clerk are authorized and directed to sign the Development Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That City Council approve the Metro 202 Site Plan and planned project modifications from the front setback requirements of Chapter 55, upon the conditions that (1) the Development Agreement is signed by all necessary parties, (2) all terms of the Development Agreement are satisfied, and (3) a study of the impacts to the downstream sanitary sewer system as a result of this development is completed.

A communication was received from the City Planning Commission transmitting its recommendation of approval of the proposed Resolution to Approve Metro 202 Planned Project Site Plan and Development Agreement, 0.20 Acre, 202 South Division Street.

Councilmember Roberts moved, seconded by Councilmember Carlberg, that the resolution be adopted.

Councilmember Greden recused himself from discussion and approval of the resolution.

Councilmember Easthope moved, seconded by Councilmember Carlberg, to amend the development agreement as follows:

P-13:

(P-13) To include the elevation drawings as submitted to City Council as part of the approved site plan and to construct all buildings consistent with said elevation drawings. **IF THE DEVELOPER PROPOSES ANY CHANGES TO THE APPROVED BUILDING ELEVATIONS, SETBACKS, AESTHETICS, OR MATERIALS THAT THOSE CHANGES BE BROUGHT BACK TO THE CITY COUNCIL FOR CONSIDERATION. THE DEVELOPER IS REQUIRED TO SUBMIT SIGNED AND SEALED DRAWINGS TO STAFF REFLECTING THE SETBACKS, AESTHETICS, ELEVATIONS, MATERIALS AND SITE PLAN APPROVED BY CITY COUNCIL.**

(Frances Todoro-Hargreaves, representative for the petitioner, agreed that the changes were agreeable and that the developer would sign off on them.)

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

The question being the foregoing resolution as amended, on roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Teall, Easthope, Roberts, Lowenstein, 5;

Nays, Councilmembers Johnson, Rapundalo, Mayor Hieftje 3.

The Mayor declared the motion failed.

RECESS FOR CLOSED SESSION

Councilmember Carlberg moved, seconded by Councilmember Johnson, that the regular session of Council be recessed for a closed session to discuss attorney client privileged communication.

On roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Greden, Teall, Easthope, Roberts, Johnson, Lowenstein, Rapundalo, Mayor Hieftje, 9;

Nays, 0.

The Mayor declared the motion carried and the meeting recessed at 9:16 p.m.

Councilmember Johnson moved, seconded by Councilmember Carlberg, that the regular session of Council be reconvened.

On a voice vote the Mayor declared the motion carried and the meeting reconvened at 9:44 p.m.

DEFEATED

**(RESOLUTION NO. 4 TO CONFIRM ASSESSMENT ROLL FOR EASY STREET
SIDEWALK SPECIAL ASSESSMENT)**

Councilmember Lowenstein moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

Councilmember Easthope moved, seconded by Councilmember Rapundalo, to amend the resolution as follows:

RESOLUTION NO. 4 TO CONFIRM ASSESSMENT ROLL AND APPROPRIATE FUNDING FOR EASY STREET SIDEWALK SPECIAL ASSESSMENT (\$53,842.00)

Add 6TH and 7th Whereas Clauses:

...

WHEREAS, EASY STREET IS LOCATED IN A “LOW-MODERATE INCOME AREA” AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD);

WHEREAS, CITY COUNCIL DESIRES TO REDUCE THE PAYMENT OBLIGATION OF THE SIDEWALK SPECIAL ASSESSMENT FOR THIS LOW-MODERATE INCOME AREA; ...

2nd RESOLVED Clause:

... RESOLVED, That Easy Street Sidewalk Special Assessment Roll be divided into [~~six (6)~~] **TEN (10)** installments of equal principal, the first of which shall be due on June 1, 2007, and the second and subsequent installments to be due and payable on the next following June 1st of each year;

3rd RESOLVED Clause:

RESOLVED, That the deferred installments of said Special Assessment Roll bear interest at the rate of [~~5.2~~] **1.0**%, commencing June 1, 2007, said interest to be collected annually on the due date of the second and subsequent installments of said Special Assessment Roll; [~~and~~]

4th RESOLVED Clause:

RESOLVED, That City Council approve the assessment against the properties in District Number 36 be reduced to 69.46% of the roll previously approved for this project, from \$3,523.51 per parcel to \$2,447.34 per parcel; [~~and~~]

Add a 5th RESOLVED Clause:

RESOLVED, THAT THE CITY APPROPRIATE FROM THE GENERAL FUND UNOBLIGATED FUND BALANCE \$53,842 (50% OF THE SPECIAL ASSESSMENT AGAINST THE PROPERTIES IN DISTRICT NUMBER 36), DIVIDE THE TOTAL APPROPRIATION INTO FORTY-FOUR EQUAL SHARES AND APPLY THE PRO-RATA SHARE OF THE TOTAL APPROPRIATION AGAINST THE BALANCE OF THE PER PARCEL ASSESSMENT; AND

Add 6th RESOLVED Clause:

RESOLVED, THAT THE CITY TREASURER IS DIRECTED TO APPLY THE APPROPRIATED FUNDING AND ADJUST THE PER PARCEL ASSESSMENT BALANCE ON OR BEFORE MAY 31, 2007.

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

The question being the resolution as amended, on roll call, the vote was as follows:

Yeas, Councilmembers Carlberg, Easthope, Roberts, Lowenstein, Rapundalo, Mayor Hieftje,6;

Nays, Councilmembers Johnson, Greden, Teall, 3.

The Mayor declared the motion failed.

The resolution as amended reads as follows:

RESOLUTION NO. 4 TO CONFIRM ASSESSMENT ROLL AND APPROPRIATE FUNDING FOR EASY STREET SIDEWALK SPECIAL ASSESSMENT

Whereas, City Council, after due and legal notice, has met for the purpose of reviewing Special Assessment roll prepared for the purpose of assessing the private property's share of the cost of constructing a sidewalk described as follows: Construction of sidewalk improvements on both sides of Easy Street between Packard Road and Towner Boulevard, District No. 36, File No. 2005-061;

Whereas, City Council held a public hearing July 17, 2006 and was presented three letters aggrieving two of the forty-four affected parcels;

Whereas, A summary of a survey of Easy Street property owners' preferences on sidewalk installation, but not individual attestments, was presented at the July 17, 2006 public hearing;

Whereas, Written objections to the proposed improvement have been filed by the owners of the property which will be required to bear over 50% of the amount of the special assessment;

Whereas, Section 1:290 of Ann Arbor City Code requires passage of a special assessment by 8 votes if objections by the owners of the property which will be required to bear over 50% of the amount of the special assessment are filed;

Whereas, Easy Street is located in a “Low-Moderate Income Area” as defined by the U.S. Department of Housing and Urban Development (HUD);

Whereas, City Council desires to reduce the payment obligation of the sidewalk special assessment for this Low-Moderate Income Area;

Whereas, The second resolution, R-260-06-06, approved by the City Council on June 5, 2006 stipulates that an amount of \$155,034.44 be paid by special assessment upon the properties especially benefited within the City;

Whereas, Such amount was determined prior to bids; and

Whereas, Based on bids received on July 11, 2006, the projected amount of the special assessment is \$107,682.96 or 69.46% of the estimate approved by said second resolution;

RESOLVED, That Easy Street Sidewalk Special Assessment Roll as prepared by the City Assessor be hereby confirmed in the amount of \$107,682.96 and designated as Sidewalk Special Assessment District Number 36, File Number 2005-061;

RESOLVED, That Easy Street Sidewalk Special Assessment Roll be divided into ten (10) installments of equal principal, the first of which shall be due on June 1, 2007, and the second and subsequent installments to be due and payable on the next following June 1st of each year;

RESOLVED, That the deferred installments of said Special Assessment Roll bear interest at the rate of 1.0%, commencing June 1, 2007, said interest to be collected annually on the due date of the second and subsequent installments of said Special Assessment Roll;

RESOLVED, That City Council approve the assessment against the properties in District Number 36 be reduced to 69.46% of the roll previously approved for this project, from \$3,523.51 per parcel to \$2,447.34 per parcel;

RESOLVED, That the City appropriate from the General Fund unobligated fund balance \$53,842.00 (50% of the special assessment against the properties in District Number 36), divide the total appropriation into forty-four equal shares and apply the pro-rata share of the total appropriation against the balance of the per parcel assessment; and

RESOLVED, That the City Treasurer be directed to apply the appropriated funding and adjust the per parcel assessment balance on or before May 31, 2007.

R-379-8-06 APPROVED AS AMENDED

(RESOLUTION TO APPROVE A CONSTRUCTION CONTRACT WITH PETER A. BASILE SONS, INC. (\$1,060,332.90, BID NO. 3804) APPROPRIATE FUNDS AND AMEND THE PROJECT BUDGET FOR THE EASY STREET WATER MAIN AND ROAD REPLACEMENT PROJECT)

Councilmember Carlberg moved, seconded by Councilmember Easthope, that the resolution be adopted.

Councilmember Easthope moved, seconded by Councilmember Carlberg, to amend the resolution as follows:

7th Whereas Clause:

Whereas, Funding in the amount of \$[1,612,750] **1,505,050** are needed to complete this project;

1st RESOLVE Clause:

RESOLVED, That City Council approve a contract, per Bid No. 3804, with Peter A. Basile Sons, Inc. in the amount of \$[1,060,332.90] **1,008,431.90** for the construction of the Easy Street Water Main and Road Replacement Project;

3rd RESOLVE Clause:

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute the contract after approval as to form by the City Attorney, and approval as to substance by the City Administrator; and

RESOLVED, That the following project budget is amended and funds appropriated for the life of the project, to be available without regard to fiscal year:

Section I, Revenue

\$[605,600] 615,800.00	Street Resurfacing Millage (\$276,000.00) already appropriated)
19,600.00	Traffic Calming Program (\$24,000.00 already appropriated)
[107,700]	Special Assessment (\$133,188 already appropriated)
—10,200—	General Fund Unobligated Fund Balance (new appropriation)}
453,000.00	Storm Water Fund (\$30,000.00 already appropriated)
<u>416,650.00</u>	Water System Fund (\$453,624.00 already appropriated)
\$[1,612,750.00] 1,505,050.00	TOTAL;

Section II, Expense

~~[\$1,060,350 Construction~~
~~— 35,000.00 Study and Design (City Staff)~~
~~— 124,000.00 Design (Consultant)~~
~~— 168,200.00 Inspection, Testing and Construction Management (Consultant)~~
~~— 7,200.00 Construction Administration (City Staff)~~
~~— 85,000.00 Contingency to finance change orders and other increases to line item amounts~~
~~— 80,000.00 Incentive Clause Contingency~~
~~— 53,000.00 Miscellaneous~~
~~\$1,612,750.00} **1,505,050** TOTAL;~~

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

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

The resolution as amended reads as follows:

RESOLUTION TO APPROVE A CONSTRUCTION CONTRACT WITH PETER A. BASILE SONS, INC. (\$1,060,332.90, BID NO. 3804) APPROPRIATE FUNDS AND AMEND THE PROJECT BUDGET FOR THE EASY STREET WATER MAIN AND ROAD REPLACEMENT PROJECT

Whereas, Council Resolution R-235-6-03 initiated the Easy Street Alternative Designs Study to study alternative designs for Easy Street that would be sustainable, cost-effective, manage stormwater for quality and quantity, encourage pedestrian use and calm traffic;

Whereas, City staff, design consultants and the Easy Street residents arrived at a conceptual design that achieves these goals;

Whereas, The 2006-2007 Capital Project Budget includes the Easy Street Project;

Whereas, Competitive bids were received by Procurement on July 11, 2006 and Peter A. Basile Sons, Inc. was the lowest responsible bidder at \$1,060,332.90;

Whereas, Peter A. Basile Sons, Inc. received Human Rights approval on July 19, 2006, and its employees will receive compensation in accordance with the Living Wage Ordinance;

Whereas, Project costs totaling \$1,200,000.00 were previously anticipated in the 2006-2007 Capital Improvements Plan for the project and \$916,812.00 was previously approved in the 2006-2007 Capital Project Budget for the Easy Street Project; and

Whereas, Funding in the amount of \$1,505,050.00 are needed to complete this project;

RESOLVED, That City Council approve a contract, per Bid No. 3804, with Peter A. Basile Sons, Inc. in the amount of \$1,008,431.90 for the construction of the Easy Street Water Main and Road Replacement Project;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract after approval as to form by the City Attorney, and approval as to substance by the City Administrator; and

RESOLVED, That the following project budget is amended and funds appropriated for the life of the project, to be available without regard to fiscal year:

	<u>Section I, Revenue</u>
\$615,800.00	Street Resurfacing Millage (\$276,000.00 already appropriated)
19,600.00	Traffic Calming Program (\$24,000.00 already appropriated)
453,000.00	Storm Water Fund (\$30,000 already appropriated)
<u>416,650.00</u>	Water System Fund (\$453,624 already appropriated)
\$1,505,050.00	TOTAL;

Section II, Expense

\$1,505,050.00 TOTAL;

RESOLVED, That the City makes the following declaration for the purpose of complying with the reimbursement rules of Treasury Regulations 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, that the City reasonably expects to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds;

RESOLVED, That City Council authorize the City Administrator to approve change orders to the contract with Peter A. Basile Sons, Inc., up to \$165,000.00; and

RESOLVED, That Council authorize the City Administrator to take the necessary administrative actions to implement this resolution.

R-380-8-06 APPROVED

RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH STANTEC FOR THE EASY STREET ALTERNATIVE DESIGNS PROJECT

Whereas, It is necessary to employ a qualified consulting firm to perform construction surveying, inspection, testing and construction management for the Easy Street Water Main and Road Replacement Project;

Whereas, Stantec has demonstrated the required experience, personnel, capacity to perform the work;

Whereas, Stantec is already under contract with the City to complete the conceptual design and perform the detailed design resulting from the Easy Street Alternative Designs Study;

Whereas, Stantec received Living Wage and Human Rights approval on November 22, 2005; and

Whereas, Sufficient funds for these services were approved by City Council on August 7, 2006 as part of the Resolution to Approve a Construction Contract with Peter A. Basile Sons, Inc. for the Easy Street Water Main and Road Replacement Project (\$1,060,332.90; Bid No. 3804);

RESOLVED, That Council approves Amendment #1 to the Professional Services Agreement with Stantec for the Easy Street Alternative Designs Project in the amount of \$168,000 for construction surveying, inspection, testing and construction management services;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute said change order after approval as to form by the City Attorney and approval as to substance by the City Administrator; and

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution.

Councilmember Carlberg moved, seconded by Councilmember Roberts, that the resolution be adopted.

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

R-381-8-06 APPROVED

RESOLUTION TO APPROVE SERVICE AGREEMENT WITH VELOCITIE
INTEGRATION, INC. (\$169,962.00) AND ESTABLISH A
PROJECT BUDGET FOR THE EXPANSION OF CITYWORKS

Whereas, The City of Ann Arbor has seen significant benefit through use of the Geographic Information System (GIS) software and applications and the use of spatial data in the decision making process regarding environmental and infrastructure management issues, handling of customer service requests and work order processing, and in response to situations involving the Emergency Operations Center;

Whereas, The City has a desire to expand the use of CityWorks, to integrate CityWorks and other business systems, to upgrade it's web mapping software, to load additional data layers into ArcSDE and to implement a web based Citizen Service Request Application;

Whereas, VELOCITIE Integration, inc. (VELOCITIE) has provided a proposal with the necessary scope and reasonable costs to accomplish the tasks required;

Whereas, VELOCITIE, Inc. has extensive experience and knowledge of the City of Ann Arbor, the City's use of ArcGIS, and the City's GIS Infrastructure;

Whereas, This project was reviewed and approved by the City's Information Technology Leadership Board on July 27, 2006; and

Whereas, VELOCITIE received Human Rights and Living Wage approval on July 31, 2006;

RESOLVED, That City Council approve a project budget not to exceed \$180,000.00 for the expansion of CityWorks for the life of the project, to be expended without regard to fiscal year;

RESOLVED, That City Council approve a service contract with VELOCITIE, Inc. in the amount of \$169,962.00 for the expansion of Cityworks into the Utilities Call Center Department, developing interfaces between Cityworks and other business systems, implementing Orion's OnPoint Web Mapping software, loading additional data layers into ArcSDE and implementing a web based Citizen Service Request Application;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the service contract with VELOCITIE, Inc. following approval as to substance by the City Administrator, and approval by the City Attorney;

RESOLVED, That funds for the service contract be utilized from funds available and approved in the fiscal year 2006/2007 for Information Technology Budget; and

RESOLVED, That City Administrator be authorized to take all necessary actions to implement this Resolution including the approval of necessary change orders to the service contract within the approved project budget.

Councilmember Teall moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

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

R-382-8-06 APPROVED

RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE AGREEMENT WITH COMPLUS DATA INNOVATIONS, INC.

Whereas, Complus Data Innovations is the City’s current parking citation processing, collection and record management vendor;

Whereas, Complus Data Innovations’ services under the terms of the current contract expire November 14, 2006;

Whereas, Complus Data Innovations is willing to amend its contract with the City to provide services through November 14, 2007 and provide an option for one-year renewal;

Whereas, The parties have negotiated an amendment to the contract which clarifies and defines the duties and responsibilities of Complus Data Innovations and the City for the remainder of the contract term leaving fees for services unchanged;

Whereas, Complus Data Innovations received Human Rights approval on August 4, 2006 and complies with the City’s living wage ordinance; and

Whereas, Funds for the remainder of the contract are budgeted and available in the General Fund;

RESOLVED, That City Council approve Amendment No. 1 to the Agreement with Complus Data Innovations, Inc.;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract amendment after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take all necessary actions to implement this Resolution.

Councilmember Carlberg moved, seconded by Councilmember Teall, that the resolution be adopted.

Councilmember Easthope directed Financial and Administrative Administrator to report back to Council in one year prior to a renewal or extension of the contract.

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

R-383-8-06 APPROVED

RESOLUTION TO CLOSE NORTH FOURTH AVENUE FOR THE OUTFEST 2006 NATIONAL COMING OUT DAY CELEBRATION ON SEPTEMBER 30, 2006

Whereas, The City has received a request from the Washtenaw Rainbow Action Project to close North Fourth Avenue between Catherine Street and East Kingsley Street from 4:00 PM on Saturday, September 30, 2006 to 1:00 AM on Sunday, October 1, 2006;

Whereas, The closing is requested for events associated with National Coming Out Day;

Whereas, The sponsor requires the approval of the Michigan Liquor Control Commission for a special outdoor liquor license; and

Whereas, The sponsors of the event will obtain all necessary permits, provide evidence of proper liability insurance and comply with all procedures, rules and regulations for closing the street including payment of all fees associated with their sponsorship of this event;

RESOLVED, That the closing of North Fourth Avenue between Catherine Street and East Kingsley Street from 4:00 PM on Saturday, September 30, 2006 to 1:00 AM on Sunday, October 1, 2006 is approved contingent upon approval of the special liquor license from the State of Michigan.

Councilmember Rapundalo moved, seconded by Councilmember Johnson, that the resolution be adopted.

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

R-384-8-06 APPROVED

RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS FROM THE
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR A HOUSEHOLD
HAZARDOUS WASTE GRANT AGREEMENT

Whereas, The City of Ann Arbor is committed to protecting the environment;

Whereas, Household Hazardous Waste can pose a public health risk to residents due to improper storage or flooding;

Whereas, The City of Ann Arbor and Washtenaw County have demonstrated successful household hazardous waste collection events to properly collect, and recycle or dispose of the materials and educate the public in this process;

Whereas, Removal of these unwanted materials from area homes removes the long-term threat of public exposure and release to the environment;

Whereas, The City of Ann Arbor was awarded a \$24,500.00 Household Hazardous Waste Grant from the Michigan Department of Environmental Quality to hold two household hazardous waste collection events in the Ann Arbor area;

Whereas, The City of Ann Arbor and Washtenaw County will donate \$9,985.00 in additional funds or staff time to perform this feasibility analysis;

Whereas, The Systems Planning Unit will provide grant management services for this grant;

RESOLVED, That the City accept the Michigan Department of Environmental Quality grant of \$24,500.00 for a Household Hazardous Waste Grant Agreement for two household hazardous waste collection events;

RESOLVED, That the Mayor and City Clerk be authorized and directed to sign the grant agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the grant funds be appropriated for the life of the project, regardless of fiscal year.

Councilmember Teall moved, seconded by Councilmember Carlberg, that the resolution be adopted.

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

R-385-8-06 APPROVED

RESOLUTION ACCEPTING PEDESTRIAN ACCESS EASEMENT
FROM PARKE, DAVIS AND COMPANY, LLC, 2800 PLYMOUTH ROAD
RESOLUTION ACCEPTING PEDESTRIAN ACCESS EASEMENT
FROM PARKE, DAVIS AND COMPANY, LLC, 2800 PLYMOUTH ROAD

Whereas, Parke, Davis & Company LLC, a Michigan limited liability company, is the owner in fee simple of property located in the City of Ann Arbor, Washtenaw County, Michigan, as described in the Washtenaw County Records at the following: Liber 775, Page 634, recorded February 26, 1957; Liber 1177, Page 89, recorded on September 29, 1966; Liber 2106, Page 845, recorded on January 5, 1987; Liber 2657, Page 877, recorded on July 29, 1992; Liber 3725, Page 754, recorded on July 31, 1998; and Liber 4115, Page 324, recorded on April 11, 2002; and

Whereas, An Assistant Secretarial’s Certificate for Parke, Davis & Company LLC, dated July 31, 2006 has authorized the execution and delivery of an easement to the City for the construction and maintenance of a public sidewalk to encumber and run with the land and burden the respective property perpetually, being more particularly described as follows:

Legal Description of Variable Width Access Easement:

Part of the Northeast 1/4 of section 22, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan:

Commencing at the Northeast corner of Section 22, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence South 88°11'00" West, 582.68 feet along the North line of said Section 22; thence South 00°00'00" East, 1507.49 feet along the West right-of-way line of Huron Parkway (variable width); thence North 90°00'00" West, 10.20 feet; thence 41.99 feet along the arc of a 716.46 foot radius non-tangential circular curve to the right, having a chord which bears South 01°40'06" West, 41.98 feet to the Point of Beginning; thence 186.88 feet along the arc of a 716.46 foot radius non-tangential circular curve to the right, having a chord which bears South 10°49'58" West, 186.35 feet; thence North 90°00'00" West, 15.82 feet; thence 27.44 feet along the arc of a 701.46 foot radius non-tangential circular curve to the right, having a chord which bears South 19°49'46" West, 27.43 feet; thence South 20°57'00" West, 111.49 feet; thence North 67°24'20" West, 2.11 feet; thence 18.85 feet along the arc of a 48.37 foot radius circular curve to the left, having a chord which bears North 09°25'08" East, 19.58 feet; thence 12.42 feet along the

arc of a 41.79 foot radius circular curve to the right, having a chord which bears North 09°56'56" East, 12.37 feet; thence North 21°09'29" East, 46.98 feet; thence North 23°12'06" East, 29.55 feet; thence North 21°43'54" East, 49.45 feet; thence North 18°45'57" East, 31.27 feet; thence North 24°12'58" East, 52.46 feet; thence 10.36 feet along the arc of a 49.90 foot radius circular curve to the left, having a chord which bears North 18°16'40" East, 10.34 feet; thence North 11°00'58" East, 77.90 feet to the Point of Beginning. Containing 0.068 Acres more or less.

RESOLVED, That the City hereby accept said grant of easement.

Councilmember Rapundalo moved, seconded by Councilmember Johnson, that the resolution be adopted.

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

R-386-8-06 APPROVED

RESOLUTION APPROVING A GRANT OF EASEMENT TO THE DETROIT EDISON COMPANY FOR UNDERGROUND ELECTRIC SERVICE LINE (LOCATED IN THE GARDEN HOMES PARK) AND ACCEPT AND APPROPRIATE FUNDS TO PARKS AND RECREATION DEVELOPER CONTRIBUTION FUND FOR FUTURE PEDESTRIAN LIGHT IMPROVEMENTS IN GARDEN HOMES PARK

Whereas, The Detroit Edison Company, a Michigan corporation, has requested an easement for the construction and maintenance of an underground electric service line extending in an easterly direction from Fulmer Street through the City's Garden Homes Park to provide new and upgraded electric service to 1526 Franklin Street;

Whereas, City staff have determined that the request of The Detroit Edison Company is reasonable and that the terms and conditions of the easement will not interfere with City operations; and

Whereas, The owner of 1526 Franklin Street, has agreed to contribute \$3,000.00 to the City's Parks and Recreation Developer Contribution Fund 34 for future lighting improvements at Garden Homes Park;

RESOLVED, That the City of Ann Arbor approve the granting of an easement to The Detroit Edison Company for the construction and maintenance of an underground electric service line to be located on an easterly route beginning at Fulmer Street and extending

through the Garden Homes Park, said easement being more particularly described as follows:

A 12-foot wide by approximately 238.97 foot long easement located in a portion of Lot 3 of the Garden Homes Park Subdivision, as recorded on August 27, 1974 in Liber 20, Pages 92-94 of Plats, in the City of Ann Arbor, Washtenaw County, Michigan, being a portion of Lot 3, Garden Homes Park Subdivision, commonly known as Park No. 6.

RESOLVED, That the City accept a \$3,000.00 contribution from the Korean Methodist Church and appropriate the funds to the Parks and Recreation Developer Contribution Fund 34 for future pedestrian light improvements in Garden Homes Park; and

RESOLVED, That the Mayor and City Clerk be authorized to execute the grant of easement in the form approved by the City Attorney.

Councilmember Teall moved, seconded by Councilmember Roberts, that the resolution be adopted.

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

POSTPONED

RESOLUTION TO PLACE A PROPOSITION TO AMEND THE ANN ARBOR CITY CHARTER SECTION 14.3 LIMITATION ON THE CONTRACTUAL POWER TO SELL A PARK ON THE NOVEMBER 7, 2006 GENERAL ELECTION BALLOT

Whereas, The Parks of the City of Ann Arbor form an essential element in the quality of life of the residents of the City;

Whereas, Most of the City's parkland has been acquired with revenues obtained from special land acquisition millages, rather than by general fund revenues, which demonstrates that these lands have a special status to the City's residents;

Whereas, Parkland has also been acquired by purchases using City taxes, donations and bequests; and

Whereas, Current City park and recreation plans do not favor the sale of parkland donated to and accepted by the City as parkland or to use it for non-park functions;

RESOLVED, That City Council amend Section 14.3 of the City Charter, as follows:

Limitations on Contractual Power

Section 14.3.

- (a) The City shall not purchase, sell, or lease any real estate or any interest therein except by resolution concurred in by at least eight members of the Council.
- (b) The City shall not sell any park, cemetery, or any part thereof except in accordance with restrictions imposed by law and with the approval of a majority of the electors voting in a regular or special election. No park, or any part thereof, identified in the official master plan of the City, or any subsequent acquisition to the park system, or any part thereof, identified as part of the official master plan of the City after January 23, 2006, shall be severable from the City park system and the official master plan of the City.

RESOLVED, That City Council designate November 7, 2006 as the day for holding an election on the proposed Charter amendment;

RESOLVED, That the City Clerk shall transmit a copy of the proposed amendment to the Attorney General and the Governor of Michigan and shall perform all other acts required by law for holding the election;

RESOLVED, That the proposed Charter amendment shall appear on the ballot in the following form:

**ANN ARBOR CITY CHARTER AMENDMENT
PLACING LIMITATIONS ON THE SALE OF A CITY PARK**

Shall the Charter be amended to prohibit the sale of any parkland identified as part of the City Park System as of January 23, 2006 and any after acquired land made a part of the park system without the approving vote of a majority of the City's electors voting on the proposed sale.

Yes

No

RESOLVED, That the proposed Charter amendment and proposed ballot question shall be published in The Ann Arbor News not less than seven days before the election in substantially the form prescribed by MCL §168.653(a)(1) and include a caption or brief description of the proposal along with the location(s) where an elector can obtain the full text of the proposal; and

RESOLVED, That if the amendment is adopted, it shall take effect on January 1, 2007.

Councilmember Johnson moved, seconded by Councilmember Rapundalo, that the resolution be adopted.

Councilmember Rapundalo moved, seconded by Councilmember Easthope, to postpone the resolution.

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

POSTPONED

RESOLUTION TO NOMINATE A MEMBER OF THE CITY OF ANN ARBOR ENVIRONMENTAL COMMISSION

Whereas, The appointment of members of the Environmental Commission is a prerogative of the City Council;

Whereas, D. Malama Chock’s term on the Environmental Commission expired on March 17, 2006; and

Whereas, D. Malama Chock has expressed a continued interest in serving on the Environmental Commission and would accept re-appointment;

RESOLVED, That D. Malama Chock be nominated to serve another term as a member of the Environmental Commission for a term beginning September 6, 2006 and expiring September 5, 2009.

Councilmember Carlberg moved, seconded by Councilmember Teall, that the resolution be adopted.

Councilmember Carlberg moved, seconded by Councilmember Teall, to postpone the resolution until September 5, 2006.

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

R-387-8-06 APPROVED

RESOLUTION DEDICATING ANN ARBOR FIRE STATION #3 IN MEMORY OF
FIREFIGHTER AMY SCHNEARLE-PENNYWITT

Whereas, Amy Schnearle-Pennywitt was born in Manchester, Michigan in 1971, attended Manchester High School and received a Bachelor of Arts in Education from Eastern Michigan University;

Whereas, Amy joined the Ann Arbor Fire Department on March 2, 1998, where she served this community with passion and dedication as a firefighter for almost 8 years, earning the respect and admiration of her colleagues and supervisors for her commitment and utmost professionalism;

Whereas, Amy was an asset to the Fire Department and in particular, Fire Station #3 located on Jackson Road in Ann Arbor, where many of her fellow firefighters became an extension of her family, caring and looking after each other to ensure that together they truly made a difference as life-saving public servants;

Whereas, on Saturday, January 7, 2006, Firefighter Pennywitt suffered major injuries at an emergency scene when she was struck by an out-of-control vehicle as a consequence of multiple car crashes and hazardous conditions;

Whereas, Firefighter Pennywitt was removed from life support and died at the University of Michigan Medical Center on January 13, 2006, with husband Alan and stepson Jacob, and the rest of her family by her side; and

Whereas, Firefighter Pennywitt was the first female Michigan firefighter, and only the third Ann Arbor firefighter, to be killed in the line of duty;

RESOLVED, That the Mayor and City Council hereby declare that Fire Station #3 be re-named in memory and honor of Firefighter Amy Schnearle-Pennywitt, and the many contributions she made to the community and the protection of our fellow citizens; and

RESOLVED, That the City of Ann Arbor will join with Fire Chief Sam Hopkins and the Ann Arbor Fire Fighters Association, Local 693, in convening an appropriate dedication ceremony on Tuesday, September 12, 2006, to rename the facility as "Amy Schnearle-Pennywitt Memorial Fire Station #3."

Councilmember Rapundalo moved, seconded by Councilmember Easthope, that the resolution be adopted.

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

Historic District Commission

Henry James Henrichs Re-Appointment
415 Arbana Drive
Ann Arbor, MI 48103
Term: 9/05/06- 9/05/09

Zoning Board

Charles Carver Re-Appointment
2008 S. State St. Ste. A
Ann Arbor, MI 48104
Term: 9/05/06- 9/05/09

COMMUNICATIONS FROM THE CITY ADMINISTRATORREPORT SUBMITTED

City Administrator Roger Fraser submitted the following report for information of Council:

1. Easy Street Sidewalk Special Assessment District – Affordability Issues (Public Services – Sue F. McCormick, Public Services Administrator)

(Report on file in the City Clerk's Office.)

COMMUNICATIONS FROM THE CITY ATTORNEYREPORT ON COMPLETED ANNEXATIONS

City Attorney Stephen Postema submitted report on the following completed annexation:

1. Report on completion of the Barton Green Annexation, 31.93 Acres, located on the west side of Pontiac Trail, north of Skydale from Ann Arbor Township

(Report on file in the City Clerk's Office.)

COMMUNICATIONS FROM COUNCIL

None.

CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

The following communications were referred as indicated:

1. Communication from the Department of Community Health regarding Designing Healthy Livable Community: A Study in Best Practices Conference, November 13, 2006, at the Kellogg Hotel and Conference Center in Lansing, Michigan
2. Communication from Assistant Attorney General George M. Elworth regarding approval of the proposed amendment to the Ann Arbor City Charter regarding street reconstruction
3. Communication from the United States Senator Carl Levin regarding the United States' involvement in Iraq
4. Communication from Comcast Cable regarding a visit by the Book TV Bus on Friday, August 4, 2006
5. Communication from S.E.M.C.O.G. regarding "Our Water. Our Future. Ours to Protect."
6. S.E.M.C.O.G. Regional Update for August 7, 2006

(Communications on file in the City Clerk's Office.)

Councilmember Teall moved, seconded by Councilmember Rapundalo, that the Clerk's Report be accepted.

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

PUBLIC COMMENTARY - GENERAL

None.

ADJOURNMENT

There being no further business to come before Council, it was moved by Councilmember Teall that the meeting be adjourned.

On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 11:03 p.m.

Jacqueline Beaudry
Clerk of the Council

Anissa R. King
Recording Secretary