

***APPROVED MINUTES ***

PARK ADVISORY COMMISSION

4:00 p.m. -- January 18, 2005

Time: Satarino called the meeting to order at 4:08 p.m.

Place: Council Chamber, Second Floor, 100 North Fifth Avenue, Ann Arbor, Michigan.

ROLL CALL

Members Present: Berla, Berauer, Cohen, DeLone, Macomber, Reneaud, Riseng,
Rodgers, Satarino

Members Absent: None

Ex-Officio Members Present: Henderson, Woods

Ex-Officio Members Absent: Aeschbach, Johnson

Staff Present: Acquaviva, Bemish, Dehring, Fales, Kuras, St. John

Others Present: Linda Cody, 815 Green Road

PUBLIC COMMENTARY

Linda Cody said she was representing the neighborhood that was within the in Millers Creek watershed. She said she attended a meeting a couple of weeks ago concerning the parcel of land that lies between Foxhunt and Green Road and is accessible from Narrow Gauge and from Pemberton Court. At that meeting, she expressed her concern that the land was going to be developed and also had heard it was being studied as site for parkland acquisition. She said it had been suggested to her that the most important factor that would help to preserve that land would be to show the support of the neighbors. She said she had informed her neighbors of the situation, the quality of woodland and the importance of preserving it, letting them know that it was potentially being studied to be acquired for parkland and that utilities and road installation was being considered by the property owners. She said she reviewed information from the city, such as the draft Northeast Area Plan and the PROS Plan, looking for data to support preservation of the parcel. She distributed a letter and information to her neighbors asking them to send letters/emails to PAC and City Council. She had copies for PAC. She also had a letter from the Millers Creek Action Team supporting preservation of the land. She said there was strong interest by the neighbors close and far away from the site to preserve the site and to work with the City on the best way to do that. She said what motivated her to pursue preservation was the high quality of the watershed in that area. She said 79 percent of the floral species inventoried in 2001 were native species. She said the small piece of woodland left in the area was in

extremely good condition with hickory and oak trees over 170 to 180 years old. She said the area was slowly deteriorating with development so they would like to preserve it to help improve the quality of the Huron River and rebuilding the quality of the watershed. She was available to answer questions.

Macomber thought the site was very valuable and asked if any monetary contribution from the neighborhood was a possibility.

Cody replied that some of the neighbors brought the subject up and would consider it, but she did not know what amount would be available to be proposed. She said the neighbors had just started to work together on this effort and want to work with the city.

Enter Berauer, Riseng and Woods during Linda Cody's public commentary.

Riseng stated that one of the stream corridors was in good condition. She suggested that Cody talk with Pfizer, because Pfizer was involved with a study of Millers Creek because of proposed expansion on their site.

Cody asked if PAC had a timeline regarding the site.

Satarino replied discussion regarding this site would occur at the first LAC meeting in February.

Berla suggested she also talk with city officials regarding development proposals being presented for the site.

MINUTES OF PREVIOUS MEETING

Minutes of December 7, 2004 – Moved by Berla, supported by Macomber, to approve the minutes as presented.

Berauer said on page 6, in the fourth paragraph, she wanted the eighth and ninth sentences deleted and the following sentences to replace them: "She felt that a high profile storm water feature for educational purposes did not make sense at this site because it would essentially be in the middle of a parking lot. Instead she would advocate for investigating the option of a cash donation toward a high profile storm water mitigation feature at an alternate site that would be more appropriately visible for educational purposes, possibly in the greenway."

Macomber said on page 4, in paragraph 15, the word "not" should be added after "could", and on page 7, in the second paragraph, third sentence, replace the word "comfortable" with "uncomfortable".

Minutes approved as corrected.

DISCUSSION ON PAC WORKING SESSION

Satarino asked who would attend the working session.

Cohen, Woods, and DeLone said they could not attend and Macomber might not be able to attend.

Henderson announced that the meeting would be held on Thursday, January 27, 5:30 – 8:30 p.m., at Cobblestone Farm in the barn on the second floor, and dinner would be provided. She said at the beginning of the working session, she and Terry Rynard would conduct an exercise with PAC regarding budget issues. She and Rynard would present information and discuss some scenarios regarding the budget, describing Parks' core services, what services they felt should be provided, what services that should be provided but could be done differently, and what services that should be discontinued because they were not core services. She said Matt Horning had offered to come to answer questions regarding finances.

Satarino suggested that Rodgers' list of questions be a starting point to be considered at the working session.

Berauer thought Rodgers' list was comprehensive. She thought that list could form a framework for meetings beyond the working session.

Macomber thought it would be a good idea to circulate the list and PAC prioritize it prior to the working session.

Rodgers said he would re-circulate the list and ask for prioritization ideas to help create an agenda.

Berla asked that any information sent to PAC prior the working session be sent at least five days prior to the meeting so there would be time to review it prior to the meeting.

DISCUSSION ON RESCHEDULING PAC TOUR

After discussion, PAC selected Saturday, February 5, at 1:00 p.m. for a tour of possible park acquisition sites. All PAC members could attend. They will meet at the Veterans Memorial Park parking lot by the batting cages.

PRESENTATION ON OPEN MEETINGS ACT

Mary Fales, Assistant City Attorney, prepared and distributed a general primer for PAC on the Open Meetings Act. She said the Open Meetings Act was intended to provide the public with as much information as possible on the actions of public bodies. She said a

meeting was any gathering of a public body (for example, PAC), where a quorum was present, for the purpose of deliberating or making a decision. She said the meeting must take place in an area accessible to the public, a meeting notice must be posted in a public place, be held with a quorum, and the decision to go into a closed meeting must be made by a quorum within a public meeting. She said there were four reasons for closed sessions to occur: performance issues of staff; real property purchase decisions, except if the city already owns the property or if an offer purchase had already been acted on by City Council; discussions regarding lawsuits; discussions with the City Attorney regarding privileged information. She said a roll call vote with 2/3 of body voting in favor to go into a closed session must occur to be allowed to hold a closed session. She said minutes of the closed session are sealed and kept for one year. She said action on a specific recommendation could not take place within a closed session; it must be done in an open session. She said there were consequences if the Open Meetings Act was not followed. She said if a decision were made not following the Act's rules unintentionally, you would be allowed to correct the error, reenacting a decision, but if done intentionally, members could be charged with a misdemeanor. She recommended that all specific questions be directed to the City Attorney's Office in writing, but would be available to answer any general questions.

Satarino asked if PAC voted to have an appraisal done on a property it was considering for purchase, did that vote have to occur in an open session.

Fales replied that because that vote was part of the decision process for recommending purchase of a property, it could be done within a closed session.

Berauer asked if Rodgers' list of questions could be emailed to PAC members.

Fales replied yes, and then each PAC could prioritize the list and send their prioritization ideas to Henderson, and Henderson could then make a summary and send that summary to all the PAC members, but she said PAC members should not send their comments or prioritization suggestions to fellow PAC members, as that could be seen as PAC conferring and holding a meeting via email.

Exit Rodgers.

Riseng asked if PAC could vote at the end of, for example, this meeting to go into a closed session in two weeks.

Fales replied no, because there may be a quorum today, but PAC could not know if there would be a quorum in two weeks.

Berla asked if the tour planned by PAC would be considered a closed or open session.

Fales replied if tour was part of the acquisition process, it should be a closed session; otherwise it should be an open session.

Berauer asked if a working session was a public meeting that must be posted and the public invited.

Fales replied yes.

Cohen recommended that PAC determine the questions it has regarding specific issues relating to the Open Meetings Act and how to follow it and forward these written questions to Fales for her opinion.

Berla asked when closed session discussions should end by PAC on acquisition of a specific parcel.

Fales replied that once City Council approved an option on a parcel or approved a purchase agreement for a parcel, then discussions regarding that parcel should end.

Henderson asked what was the procedure to ask specific questions of the City Attorney's Office.

Fales replied that PAC's questions should be sent to Henderson in written form or email form and then Henderson will forward them in written form to the City Attorney's Office. She said the City Attorney will then assign the questions to a staff attorney who will prepare an attorney/client privileged memorandum and present it to PAC, then PAC would have the option to go into a closed session with that attorney to further discuss the memorandum.

UPDATE ON PROS PLAN

Chip Smith, of Johnson Hill Land Ethics, described where in the process the PROS Plan update was. He said they had summarized all the public input, started writing the draft chapters, started distributing those draft chapters to the steering committee and other relevant individuals for their comments, about one third done with the full draft document and expect to have it ready to submit to the steering committee by the end of the first week in February. He said after changes are then made from this input, a copy would be given to PAC and it would also be distributed to the public. He said they were trying to develop consensus on a lot of issues. He said the financial condition of city had made them re-think a lot of things. He thought PAC should receive a draft of the PROS Plan the second week in February.

Satarino said there was some disagreement among some PAC members and the study group. He did not think enough emphasis was put on the current Parks and Recreation's and city's financial situation. He thought the PROS plan should reflect actual conditions. He said the results of the survey that was done with the public's impression that everything was fine with Parks and Recreation. He wondered if the public's wish lists represented the public adequately. He said the working relationship with the consultant and steering committee had been good.

Smith said they were trying to combine all points of view in this PROS Plan.

Berauer agreed, and felt the discussions were going well, but not over yet.

DISCUSSION ON ACQUISITION STRATEGY

Satarino said this would be a continuation of the discussion from the last meeting. He said he had developed some questions to provoke discussion on developing some guiding principles PAC could agree on regarding acquisition strategy: How do we reply to people who say only high quality natural areas should be considered? Should a property with a good wildlife habitat be given consideration even if it does not score high in the floristic quality index? What kind of properties should PAC focus on – natural, active recreation, trailway connections, open space along the river, and/or forest buffers that conceal parts of the city? He noted that some people have said the city should leave the acquisition process to the experts. He asked if anyone wanted to discuss any of these further now or did they want to discuss any of these questions at the working session. He felt PAC needed to reach a consensus on these issues.

Riseng suggested that these questions be given to Rodgers or Henderson to be added to those questions to be discussed at either the working session or later.

By discussing his proposed questions and others, Satarino wanted to know what individual PAC members thought. He wanted to know where everyone was coming from. He thought it was important to develop each person's stance, than PAC being of a collective mind.

CITY COUNCIL ITEMS UPDATE

Henderson reported that everything on the list provided to PAC had been approved, except the Farmers Market Master Plan, which had been postponed at the December 20 meeting and would return to City Council tonight.

Macomber asked about the status of properties that LAC had decided to inform City Council about.

Henderson replied that the information was not ready to go to City Council yet.

Satarino asked about the status of Dolph South.

Fales replied that the environmental assessments had been reviewed and submitted to MDEQ, and the DNR had confirmed that as soon as it received the MDEQ letter, the city would be able to proceed to close on the property.

REHABILITATION AND DEVELOPMENT MILLAGE PROJECT UPDATE

Macomber asked what projects "Alternative Transportation" referred to.

Kuras replied that there was money in the millage that was put aside for non-motorized projects, such as paths. She said she also served on the city committee that looks at non-motorized issues, including updates to the non-motorized plan, and she worked very closely with Transportation Services for path rehabilitation and putting in new paths. Satarino asked for information regarding how the funds would be utilized in the Development Millage account.

Kuras replied that she would provide that information.

Riseng asked about the status of the Huron Parkway right-of-way property from Bandemer to Plymouth Road.

Clark replied that MDOT decided to retain ownership of the right-of-way property and would grant the city's use of it for a bicycle path if the city created the easement's legal description. He said there was city property just east of MDOT's property that had been purchased from MDOT for use as a potential connection to Pontiac Trail to US-23, but as far as he knew, that connection would not happen.

Riseng was interested in pursuing making it a pathway. She would like it added to the list of projects being pursued.

Clark said this pathway project should be placed in PROS Plan as being a part of the greenway program so then money could be spent on design work and, once it was designed, the cost of the project could be determined and it could then be placed in the millage program to construct it.

Kuras said it had been mentioned in various planning areas of the PROS Plan, but not the greenway section and she thought it made sense to include it in the greenway section to formalize it as being a project to pursue.

Cohen remembered that Art in Public Places had expressed interest in locating art at Buhr Park when it was renovated and she asked if anything had occurred regarding this.

Dehring replied that they were getting proposals regarding infrastructure improvements to the parking lots, access to the facility, and the service area zones, but he had not had any formal discussions with Art in Public Places.

REPORT FROM MANAGER OF PARKS AND RECREATION SERVICES

Henderson welcomed Brenda Acquaviva as the new PAC secretary.

She said Leslie Science Center received a \$5,000 grant from the Ann Arbor Community Foundation to provide live solar data on the Parks and Recreation website from the nature house for the public to use. She announced she would be attending the director's track at the Rocky Mountain Revenue School in Colorado.

REPORT FROM RECREATION ADVISORY COMMISSION

Berla reported that RAC discussed issues regarding if RAC would take over programs if the city discontinued them, such as softball, baseball, soccer, and field maintenance. He asked Henderson if there was anything she wanted to add regarding the changing relationship between the city and the Ann Arbor Public Schools.

Henderson reported that city staff had been meeting with Randall Trent and other public school administration officials and recently those meetings had accelerated. She said staff would like to take a broader approach, not just focus on one facility or piece of property, regarding the issues and then lay out a recommendation. She said she had met with Mr. Trent three times in the last week-and-a-half. She said city staff now had a draft of what they would like to take to the respective agencies for their feedback. She said the conversations had accelerated due to the budget process. She said staff was not ready to release further information until further discussions had occurred with upper management at both the city and the schools. After those discussions had occurred, she said this information would be forwarded to both PAC and RAC. She said some issues being discussed included: school property currently being used as parkland; should it be purchased by city as parkland, is there a possibility to share maintenance of some city or school recreation areas, programs that are currently offered by Recreation and Education being located in city community centers in neighborhoods, and consolidation had been discussed but decisions had not been made yet.

REPORT FROM ENVIRONMENTAL COMMISSION

None.

REPORT FROM GREENBELT ADVISORY COMMISSION

None.

PUBLIC COMMENTARY

None.

COMMISSION PROPOSED BUSINESS

Berauer asked if there was interest in meeting with Friends of Ann Arbor Greenway about the Allen Creek greenway on a weekend day. Four PAC members expressed interest so they decided to figure out between them a time when all were available.

Kuras said the larger Ann Arbor Greenway study group was trying to figure out the best way to continue since the group was getting so large. She said the core group was going to get together to determine their vision and the best way to continue the public process; whether there should be a core steering group and whether there should be a formal set of public meetings. She said that a class in the Graduate Business School breaks up into teams of students that work on a various projects, and one team was working on the Allen Creek and this team would be talking with their group and most likely some PAC members and were going to look at economic viability and stakeholder issues related to the Allen Creek. She said tomorrow Joe O'Neal and her would be having a telephone consultation with a person who is the president of Greenways, Inc. She said he was a person who had written textbooks about greenways and had lots of experience implementing them. She said they were going to talk with him about the struggle the group was going through and brainstorm on what the group should do next.

Berauer asked what the relationship was between the smaller Friends of Ann Arbor Greenway and the larger Ann Arbor Greenway study group.

Kuras said the current group started out as the Friends of First and William Park in opposition to placing a parking structure at that location, but now they have expanded their focus to include the site and how it fits within the entire greenway. She said the group she was involved with was looking at the entire big picture, at all of the potential sites that could be associated with the greenway and what exactly that greenway means and what it looks like. She said there was a lot of overlap between the two groups.

Satarino said he would like to see the back page of each agenda contain a list of: active committees and their members and a summary of what they are doing, open questions, and issues/items that staff and PAC were working on so PAC can keep track of them.

Berauer thought it was a good idea to have a summary of continuing issues and items asked of staff listed on the back of the agenda.

Woods thought staff already gave PAC a lot of information. She felt it was PAC's responsibility to keep track of any outstanding issues/items they had.

Satarino did not think the information would change much month to month, and did not think it would involve much more staff time to put unanswered questions, etc. on back of the agenda so PAC could keep track of them while they are being worked on. He thought his idea should be given a try and if it did not work out, it could be discontinued.

Berauer asked about the transmittal regarding the Golf Enterprise Fund. She asked if much discussion had occurred on the recommendation to sell 22 wooded acres of the golf course.

Henderson replied that not much discussion had occurred yet. She thought it might be a good idea if Matt Horning could come to working session to give more detailed information on these recommendations.

Berla thought the first question to ask was if the city should be involved in golf. He thought it would be a mistake to sell the 22 acres without first considering it as parkland.

Berauer also felt that PAC should provide input regarding this decision. She had many other questions/ideas regarding this site and felt that PAC should discuss this in detail at the working session or another meeting.

Riseng noted that in the transmittal, Recommendation B was recommended, which included considering the site for parkland.

Macomber asked how soon a decision would be made regarding the golf courses.

Henderson did not know, but would find out.

ADJOURNMENT

Satarino declared the meeting adjourned at 6:11 p.m.

Jill St. John, Secretary
2/17/05