

CITY COUNCIL EMAILS

8 DEC 2008

208A
2-53-1

Elias, Abigail

Subject: Updated: Fire Charter Meeting
Location: Fire Station 1 Training Room

Start: Mon 12/15/2008 12:00 PM
End: Mon 12/15/2008 2:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Hopkins, Samuel

Required Attendees: Hopkins, Samuel; Ferris, Craig; Dziubinski, Edwin; Hollingsworth, Greg; Vogel, Robert; Perry, Allan; Hughes, Matthew; Ferris, Craig; Greden, Leigh; Teall, Margie; Julian, Stephanie (Sharpe); Singleton, Sarah; Crawford, Tom

Rescheduled due to conflicts.

Elias, Abigail

From: Crawford, Tom
Sent: Monday, December 08, 2008 8:41 AM
To: Greden, Leigh
Cc: Fraser, Roger
Subject: Re: Staff Memo RE: Budget Ideas

Everything is being considered but you should be aware 1 person is required to handle the issues with the UM, which they pay for.

Thanks,
Tom Crawford

On Dec 7, 2008, at 12:07 PM, "Greden, Leigh" <LGreden@a2gov.org> wrote:

My suggestion of the day: we only need 1 parking referee. One of our core services should not be to make it easier for people to avoid paying parking tickets. Such people can wait longer for their appeal to be heard. Let's eliminate the City-funded position and keep the UM-funded position.

From: Fraser, Roger
Sent: Tuesday, December 02, 2008 3:25 PM
To: *City Council Members (All)
Cc: Dempkowski, Angela A; Crawford, Tom; Jones, Barnett; McCormick, Sue; Miller, Jayne; Wilkerson, Robyn
Subject: Staff Memo RE: Budget Ideas

<image001.gif>

Council:

Most of you know that we are in the very first stages of developing a fiscal plan for the next two years (FY 2010 and FY 2011). For two primary reasons, we are sending the attached message to all City staff asking for their help in identifying ways we can cut expenditures by 15% over the next two years. The first reason is that we have found significant value in soliciting budget suggestions from all parts of the organization. Sometimes the most interesting and helpful ideas come from those who directly provide services each day. The second reason is that the need for new ideas is compelling. We have been making some form of expenditure reductions in each budget since 2002. The current economic news blended with Michigan's tax structure drives us to believe that at least 5% reductions will be needed in each of the next two budget years. With each year that we have to make cuts, the choices are harder to make. The background is provided in more detail in the attachment.

We are asking staff to develop 15% reduction scenarios in the belief that ideas will come out that help us recommend to you in the spring a two year plan that is not simply across-the-board cuts in

spending. We hope to offer a thoughtful collection of ideas (many from these 15% scenarios) that are applied so that the budget recommendations protect core services as much as possible while distributing cost reductions (or even revenue enhancements) where they can be handled best.

This email is being sent to you only minutes before an "All Employee" email goes out containing the information in the attachment you received with this email. I hope the explanation is helpful.

Roger Fraser

City Administrator

City of Ann Arbor

Office: (734) 994-2650

Fax: (734) 994-8297

E-mail: rfraser@a2gov.org

Elias, Abigail

From: Derezinski, Tony
Sent: Monday, December 08, 2008 10:43 AM
To: Miller, Jayne
Subject: RE: 12-8 Council Work Session

Jayne—

Many apologies for missing you this morning. I had a notation on my calendar that only said "Housing/8:00 am" and actually called Leigh Greden yesterday to see if it was a housing commission meeting, and as the website mentions the latter on the 17th, I chalked it up to being my mistake/bad penmanship or gremlins.

But I would very much like to meet with you, and Leigh suggested also with Mary Jo Callan. This would be a good week for it—I have a lunch today with Joan Lowenstein, and then am free till 6pm, then tomorrow after about 10:30 till 6pm, and pretty open Wed and Thursday. You can email me per this machine, or call my cell at 646-9649.

Looking forward to it!

tonyd

From: Miller, Jayne
Sent: Tuesday, December 02, 2008 12:30 PM
To: Anglin, Mike; Briere, Sabra; Derezinski, Tony; Greden, Leigh; Hieftje, John; Higgins, Marcia; Hohnke, Carsten; Rapundalo, Stephen; Smith, Sandi; Taylor, Christopher (Council); Teall, Margie
Cc: Fraser, Roger
Subject: 12-8 Council Work Session

Attached are the golf course materials for Monday's Work Session.

<< File: Golf.pdf >>

Jayne Miller
Community Services Area Administrator
City of Ann Arbor
jmiller@a2gov.org
734-994-2704 (phone)
734-994-8460 (fax)
www.a2gov.org

Elias, Abigail

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 11:04 AM
To: Rapundalo, Stephen; Derezinski, Tony; Anglin, Mike
Cc: Fales, Mary Joan; Connelly, Jeff; Chamberlain, Kathleen
Subject: Agenda for 12/12 Liquor License Committee meeting
Attachments: Liquor Committee agenda 121208.doc; 2008-10-17 liquor committee minutes.doc; 3125 boardwalk.pdf; 3393-B Plymouth Rd..pdf

Hi!

Attached is the draft agenda and documents for this Friday's meeting. Please let me know if you have additional items that you would like added to the agenda.

Thanks!

Jackie

Jacqueline Beaudry
City Clerk
City of Ann Arbor
Please note new phone number:
734-794-6140 (p)
734-994-8296 (f)

Council Liquor License Review Committee
December 12, 2008

Agenda

Roll Call

Approval of the Agenda

Approval of Minutes – October 17, 2008

Action Items:

Old Business:

1. Studio 4 Transfer Request (postponed by committee pending receipt of plan – due to City Attorney by 11/26/08)
2. Redevelopment License Applications

New Business:

1. Min and Kim Inc. Liquor License Transfer of Ownership Request (Seoul Garden – 3125 Boardwalk)
2. UMI Trading Inc. Liquor License Transfer of Ownership and Location Request From 3965 S. State (in escrow) to 3393 Plymouth Road Unit B (Japanese and Sushi restaurant)
3. HBSB Holdings, Inc. Request to Amend Class C License Approval to include a New Dance-Entertainment Permit (Salsarita's – 401 E. Liberty Ste. 2)

Adjournment

Council Liquor License Review Committee
December 12, 2008

Agenda

Roll Call

Approval of the Agenda

Approval of Minutes – October 17, 2008

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1. Studio 4 Transfer Request (postponed by committee pending receipt of plan – due to City Attorney by 11/26/08)
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3. HBSB Holdings, Inc. Request to Amend Class C License Approval to include a New Dance-Entertainment Permit (Salsarita's – 401 E. Liberty Ste. 2)

Adjournment

CITY OF ANN ARBOR COUNCIL LIQUOR LICENSE REVIEW COMMITTEE
October 17, 2008

The City of Ann Arbor Council Liquor License Review Committee Meeting was called to order by the Chairman, Stephen Rapundalo, at 3:40 p.m. on October 17, 2008, in the City Council Chamber, 100 N. Fifth Avenue, Ann Arbor, MI, 48104.

The members present were Councilmembers Stephen Rapundalo, Leigh Greden, Ron Suarez and Mike Anglin. City Clerk Jacqueline Beaudry and Assistant City Attorney Mary Fales were present. Fire Marshal Kathleen Chamberlain and Police Sgt. Jeff Connelly were also in attendance.

APPROVAL OF AGENDA

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

Move: New Business to the beginning of Action Items Section.

On a voice vote, the motion carried.

APPROVAL OF MINUTES

Greden moved, seconded by Suarez, to approve the minutes of September 5 and October 3, 2008 as presented.

On a voice vote, the motion carried.

ACTION ITEMS:

NEW BUSINESS

1. Transfer of Ownership Policy

Assistant City Attorney Mary Fales presented the committee with a proposed policy to govern the approval of ownership transfers.

Greden moved, seconded by Suarez, that the policy be approved. On a voice vote, the Chair declared the motion carried.

2. Applebee's Ownership Transfer Request (approval to place on 10/20/08 agenda)

The City Clerk informed the committee that Applebee's was requesting a corporate ownership change. The two existing Applebee's restaurants would continue to operate in the same manner after the ownership transfer.

Suarez moved, seconded by Greden, that the request by Applebee's to transfer ownership in the liquor license, be recommended to the City Council for approval on the October 20, 2008 agenda. On a voice vote, the motion carried.

OLD BUSINESS

1. Quickie Burger Transfer Request (postponed to 11/6/08 Council meeting)

The City Clerk stated this item was postponed by the City Council and due back on 11/6/08.

The committee discussed the application at length, including the number of liquor licensed establishments in the area and the liquor to food sales ratio.

Anglin moved that the committee recommend approval of the transfer request to the City Council pending receipt of building plans or drawings from the applicant highlighting proposed ingress and egress plans; and clarification from the applicant regarding the hours of operation and whether an *Extended Hours permit* was being requested. Greden seconded the motion and the motion carried on a voice vote.

2. Studio 4 Transfer Request (waiting on City Attorney recommendation)

The Assistant City Attorney briefed the committee on the status of this transfer application. She stated the committee could require that the applicant submit a detailed plan outlining plans to address outstanding issues, such as parking, police violations, noise, etc.

Sgt. Jeff Connelly of the Ann Arbor Police Department expressed concerns relating to the applicant's past history with the Police Department and the calls for service at the existing establishment. It was noted that the current owner of the license is requesting to transfer the license to the current management of the club. Sgt. Connelly stated the calls for service to the location doubled in the 2007-2008 year and the types of calls were very disturbing, including sexual assaults, minors-in-possession, physical fighting and numerous other liquor license violations. He noted that the Michigan Liquor Control Commission issued suspensions of the license for two different 3-day periods during the school year.

Fire Marshal Kathleen Chamberlain noted that the Fire Marshal had visited the location and issued a life safety violation for a locked back door (fire escape) after issuing several warnings.

Anglin noted that the management needed to create a plan to address the problems and outline new management techniques.

Greden moved, seconded by Suarez, that the transfer request by Studio Four be postponed until November 26 to allow the applicant time to submit a plan to address the following:

- Police violations
- Fire violations
- Michigan Liquor Control Commission violations
- Management techniques
- Plans for staffing
- Occupancy plans

On a voice vote, the motion carried.

Greden left the meeting at 4:30 p.m.

3. Habana LLC New Brew Pub and Dance Permit (postponed to 11/17/08 Council meeting)

John Carlson, owner of Habana, introduced his partner Greg Lobdell. Mr. Carlson described the project and stated the addition will be connected to Habana, but will be called Blue Tractor Truck Shop and will serve American style barbeque.

Suarez moved that the committee recommend approval of the transfer request to the City Council pending receipt of building plans or drawings from the applicant highlighting proposed ingress and egress plans; a continuity plan regarding management and liquor sales, and a plan regarding safety and lighting in the adjacent alley. Anglin seconded the motion and the motion carried on a voice vote.

4. New Class C Liquor License

The Chair updated the committee regarding the status of the City's new liquor license and the list of those interested in the license.

Assistant City Attorney Fales advised the committee that the State of Michigan will not proceed with the issuance of any redevelopment licenses while the City has an available quota license to issue. Ms. Fales stated the State had suggested that the City could amend the currently pending redevelopment application from Salsarita's to provide for the issuance of the new Class C license rather than a redevelopment license.

Rapundalo suggested that the committee could recommend awarding the new license to Salsarita's so that his application in review at the State could proceed.

Ms. Fales also informed the committee that the City is not required to have a waiting list for the new license, but that the Clerk keeps a list as a courtesy to notify applicants when a license is available.

Eric Eagon, representing the owners of Salsarita's, stated his client has been waiting for over one year for a redevelopment license. He was available to answer any other questions of the committee.

Anglin moved, seconded by Suarez, that the Council Liquor License Review Committee, recommend to Council to amend the previously approved resolution recommending approval for a Redevelopment License to HBSP Holdings, Inc (Salsarita's) to a recommendation of approval for a New Class C Liquor License. On a voice vote, the motion carried.

The owner thanked committee members.

ADJOURN

The Chair called the meeting adjourned at 5:10 p.m. with no further business before the committee.

Respectfully submitted by

Jacqueline Beaudry
Ann Arbor City Clerk

CITY OF ANN ARBOR
CITY CLERK
REC'D

2008 OCT 10 AM 11:46



City of Ann Arbor
Office of the City Clerk
100 N. Fifth Avenue
Ann Arbor, MI 48104

CITY OF ANN ARBOR LIQUOR LICENSE APPLICATION

The undersigned requests approval of the City of Ann Arbor to transfer an on-premise licensed business and/or to add/delete partners in an on-premise licensed business in the City and provides the following information in connection with that request. The signer declares that the information recorded in this application is accurate to the best of his or her knowledge.

Please check all that apply.

- TRANSFER OF OWNERSHIP OF ON-PREMISE LICENSED BUSINESS (\$1,000.00):
- DANCE/ENTERTAINMENT PERMIT (\$500.00)
- TRANSFER OF LOCATION (\$500.00)
- EXTENDED HOURS PERMIT (For Entertainment Purposes only) (\$500.00)
- CLASS A CLASS B CLASS C
- ADDING OR DELETING SPACE (\$500.00)
- RESORT BREWPUB BREWER
- TRANSFER OF SDD AND/OR SDM (\$500.00 ea.) (In conjunction with an on-premise license)
- MICRO BREWER WINE TASTING ROOM
- NEW SDD AND/OR SDM (\$500.00 ea.)
- SMALL WINE MAKER
- OUTDOOR SALES AND SERVICE (\$100.00)
- BRANDY MANUFACTURER
- ADDING OR DELETING PARTNERS(S) (\$500.00)

Please answer all questions completely, indicating n/a where applicable. Do not leave blank spaces. Incomplete applications may be refused or require additional processing time.

NOTE: As part of this application, PETITIONER MUST attach a copy of the complete application filed on his or her behalf for this license with the Michigan Liquor Control Commission. The application is not considered complete without the MLCC documents.

1. Full name and address of applicant(s), including aka(s): (Attach additional sheet if necessary).

Name: KOUNWOO HDR Sulte #: _____

Address 2259 Indian Creek Circle City: Superior Township

Sulte #: _____ State: MI Zip: 48198

City: Ann Arbor Phone No.: (734) 222-0591
(734) 649-2269

State: MI Zip: 48105 Email: _____

Phone No: (734) 222-9737 aka(s): _____
(734) 355-2454

Email: _____

aka(s): _____

Name: SUNG HEE KIM

Address 3020 Andora Drive

1. If the applicant is a corporation, give the corporate name and the names and addresses of the officers of the corporation: (Attach additional sheet if necessary).

Corporate Name: MIN & KIM INC.

Address: 3020 Andora Drive Suite #: _____

City: Superior Twp. State: MI Zip: 48198

Officers (Please List): _____

Business Name (D.B.A.): SEOUL GARDEN RESTAURANT

If adding partners, list names and addresses of partners being added (Use separate sheet for additional partners.):

Name: N/A

Name: N/A

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

If deleting partners, list names and addresses of partners being deleted (Use separate sheet for additional partners.):

Name: N/A

Name: N/A

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

2. Name and location of establishment currently licensed:

Name: SEOUL GARDEN RESTAURANT

Address: 3125 Boardwalk Suite #: _____

City: Ann Arbor State: MI Zip: 48108

Phone # (if known): (734) 542-1111

Personal Property Tax ID No. (If licensed in Ann Arbor): 09-90-00-072-925

Is this establishment currently operating? Yes No

Name of current license holder: (Include corporate name and business name (d.b.a.) if known).

Name: _____

Corporate Name: E M & M INC.

Business Name: SEOUL GARDEN RESTAURANT

d.b.a. (if known) _____

3. *If transfer involves relocation of the license, skip to question 4.*

Are renovations to the existing structure planned? Yes _____ No

If yes, detail plans, including estimated cost:

4. If the transfer involves relocation of the license, list the address to which the license is to be relocated: N/A

Address: _____ Suite #: _____

City: _____ Zip: _____

Will a building be constructed at the above address? Yes No

If yes, list construction details (including type of building to be constructed, square footage to be licensed, seating to be available, anticipated construction period, estimated construction cost, etc.):

If no, are renovations planned for the existing structure?

Yes _____ No

Detail plans, including estimated cost:

5. What other types of licenses/permits will be transferred and held in conjunction with the on-premise license? (e.g., Dance Permit, Entertainment Permit, Extended Hours Permit, SDM License, etc.)

Sunday Sales SDM

6. Detail plans for operation of the establishment to be licensed (e. g., nature of business, operating hours, number of employees, entertainment, dance, food, etc.):

Restaurant offering Korean and Far Eastern Foods

Monday - Friday

Saturday

Sunday - 12:00 p.m. to

7. Do any of the applicants or their spouses operate or have a financial interest in any other establishment licensed by the Michigan Liquor Control Commission (in the case of a corporate applicant, this question applies to all owners/stockholders of the corporation)?

Yes _____ No

If yes, give the name and location of the establishment, type of license, and financial interest of each individual so involved (use a separate sheet if more than one individual is involved):

Name: _____

Address: _____ Suite #: _____

City: _____ State: _____ Zip: _____

Type of License: _____

Financial Interest: _____

8. Are any personal property, real estate taxes or any other obligation to the City owed by the current holder of the license?
_____ Yes No Not to our knowledge.

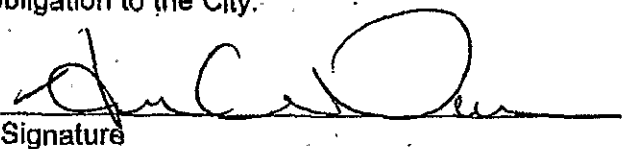
Failure to report and pay these obligations may result in a delay in processing this application.

If yes, detail amount:

Personal Property or Real Estate Tax ID No.: 09-90-00-072-925

Note: Section 9:77 of the Ann Arbor City Code prohibits the City Council from recommending approval of the transfer or renewal of a liquor license if the owner is delinquent in the payment of personal property taxes or any other obligation to the City.

10/9/08
Date


Signature

KOUNWOO HUR
Printed Name

President
If Corporate Officer, state title

(734) 355-2434
Phone Number

There is a nonrefundable city application fee of \$1,000.00 for the following activities:

- ownership transfer of on-premise license
- ownership transfer of SDD/SDM license (held in conjunction with on-premise license)

There is a nonrefundable city application fee of \$500.00 for each of the following activities:

- location transfer of on-premise license
- new and/or transfer of SDD/SDM license (held in conjunction with on-premise license)
- dance/entertainment permit/extended hours
- adding/deleting partners
- adding/deleting space

There is a nonrefundable city application fee of \$100.00 for

- Outdoor Sales and Service (on the City's sidewalk)

The application will be referred to the City Treasurer, Police, Building and Fire Departments for recommendations prior to City Council approval.

Revised 11/14/2007



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
 Request ID # 484641
 Business ID # 214385

LOCAL APPROVAL NOTICE
 [Authorized by MCL 436.1501]

September 3, 2008

TO: ANN ARBOR CITY COUNCIL
 100 NORTH FIFTH AVENUE
 PO BOX 8647
 ANN ARBOR, MI 48107-8647

APPLICANT: MIN & KIM INC

Home Address and Telephone No. or Contact Address and Telephone No.:
 KOUNWOO HUR, 2259 INDIAN CREEK CIRCLE, ANN ARBOR, MI 48105
 H(734)222-9737/B(734)355-2454
 SUNG H. KIM, 3020 ANDORA DRIVE, SUPERIOR TOWNSHIP, MI 48198
 H(734)222-0591/B(734)663-6868

2008 SEP 18 AM 8:12
 CITY OF ANN ARBOR
 CITY CLERK
 REC'D

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 636-4634.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2008 RESORT CLASS C LICENSED BUSINESS (MCL 436.1531(4); MINIMUM SEATING: 100; NON TRANSFERABLE), LOCATED AT 3125 BOARDWALK, ANN ARBOR, MI 48108, WASHTENAW COUNTY, FROM EM & M INC. TO MIN & KIM INC.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

CITY OF ANN ARBOR
CITY CLERK
REC'D

2008 OCT 10 AM 11:46



City of Ann Arbor
Office of the City Clerk
100 N. Fifth Avenue
Ann Arbor, MI 48104

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Please check all that apply.

- TRANSFER OF OWNERSHIP OF ON-PREMISE LICENSED BUSINESS (\$1,000.00):
- TRANSFER OF LOCATION (\$500.00)
- CLASS A CLASS B CLASS C
- RESORT BREWPUB BREWER
- MICRO BREWER WINE TASTING ROOM
- SMALL WINE MAKER
- BRANDY MANUFACTURER
- ADDING OR DELETING PARTNERS(S) (\$500.00)
- DANCE/ENTERTAINMENT PERMIT (\$500.00)
- EXTENDED HOURS PERMIT (For Entertainment Purposes only) (\$500.00)
- ADDING OR DELETING SPACE (\$500.00)
- TRANSFER OF SDD AND/OR SDM (\$500.00 ea.) (In conjunction with an on-premise license)
- NEW SDD AND/OR SDM (\$500.00 ea.)
- OUTDOOR SALES AND SERVICE (\$100.00)

Please answer all questions completely, indicating n/a where applicable. Do not leave blank spaces. Incomplete applications may be refused or require additional processing time.

NOTE: As part of this application, **PETITIONER MUST** attach a copy of the complete application filed on his or her behalf for this license with the Michigan Liquor Control Commission. The application is not considered complete without the MLCC documents.

- Full name and address of applicant(s), including aka(s): (Attach additional sheet if necessary).

Name: <u>KOUNWOOD HDR</u>	Suite #: _____
Address <u>2259 Indian Creek Circle</u>	City: <u>Superior Township</u>
Suite #: _____	State: <u>MI</u> Zip: <u>48198</u>
City: <u>Ann Arbor</u>	Phone No.: <u>(734) 222-0591</u>
State: <u>MI</u> Zip: <u>48105</u>	Email: _____
Phone No: <u>(734) 222-9737</u> <u>(734) 355-2454</u>	aka(s): _____
Email: _____	
aka(s): _____	
Name: <u>SUNG HEE KIM</u>	
Address <u>3020 Andora Drive</u>	

1. If the applicant is a corporation, give the corporate name and the names and addresses of the officers of the corporation: (Attach additional sheet if necessary).

Corporate Name: MIN & KIM INC.

Address: 3020 Andora Drive Suite #: _____

City: Superior Twp. State: MI Zip: 48198

Officers (Please List): _____

Business Name (D.B.A.): SEOUL GARDEN RESTAURANT

If adding partners, list names and addresses of partners being added (Use separate sheet for additional partners.):

Name: N/A

Name: N/A

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

If deleting partners, list names and addresses of partners being deleted (Use separate sheet for additional partners.):

Name: N/A

Name: N/A

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

2. Name and location of establishment currently licensed:

Name: SEOUL GARDEN RESTAURANT

Address: 3125 Boardwalk Suite #: _____

City: Ann Arbor State: MI Zip: 48108

Phone # (if known): (734) 542-1111

Personal Property Tax ID No. (If licensed in Ann Arbor): 09-90-00-072-925

Is this establishment currently operating? Yes No

Name of current license holder: (Include corporate name and business name (d.b.a.) if known).

Name: _____

Corporate Name: E M & M INC.

Business Name: SEOUL GARDEN RESTAURANT

d.b.a. (if known) _____

3. If transfer involves relocation of the license, skip to question 4.

Are renovations to the existing structure planned? Yes _____ No

If yes, detail plans, including estimated cost:

4. If the transfer involves relocation of the license, list the address to which the license is to be relocated: N/A

Address: _____ Suite #: _____

City: _____ Zip: _____

Will a building be constructed at the above address? Yes No

If yes, list construction details (including type of building to be constructed, square footage to be licensed, seating to be available, anticipated construction period, estimated construction cost, etc.):

If no, are renovations planned for the existing structure?

Yes _____ No

Detail plans, including estimated cost:

5. What other types of licenses/permits will be transferred and held in conjunction with the on-premise license? (e.g., Dance Permit, Entertainment Permit, Extended Hours Permit, SDM License, etc.)

Sunday Sales SDM

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Restaurant offering Korean and Far Eastern Foods
Monday - Friday
Saturday
Sunday - 12:00 p.m. to

7. Do any of the applicants or their spouses operate or have a financial interest in any other establishment licensed by the Michigan Liquor Control Commission (in the case of a corporate applicant, this question applies to all owners/stockholders of the corporation)?

_____ Yes No

If yes, give the name and location of the establishment, type of license, and financial interest of each individual so involved (use a separate sheet if more than one individual is involved):

Name: _____

Address: _____ Suite #: _____

City: _____ State: _____ Zip: _____

Type of License: _____

Financial Interest: _____

8. Are any personal property, real estate taxes or any other obligation to the City owed by the current holder of the license?

_____ Yes x No Not to our knowledge.

Failure to report and pay these obligations may result in a delay in processing this application.

If yes, detail amount:

Personal Property or Real Estate Tax ID No.: 09-90-00-072-925

Note: Section 9:77 of the Ann Arbor City Code prohibits the City Council from recommending approval of the transfer or renewal of a liquor license if the owner is delinquent in the payment of personal property taxes or any other obligation to the City.

10/9/08

Date



Signature

KOUNWOO HUR

Printed Name

President

If Corporate Officer, state title

(734) 355-2434

Phone Number

There is a nonrefundable city application fee of \$1,000.00 for the following activities:

- ownership transfer of on-premise license
- ownership transfer of SDD/SDM license (held in conjunction with on-premise license)

There is a nonrefundable city application fee of \$500.00 for each of the following activities:

- location transfer of on-premise license
- new and/or transfer of SDD/SDM license (held in conjunction with on-premise license)
- dance/entertainment permit/extended hours
- adding/deleting partners
- adding/deleting space

There is a nonrefundable city application fee of \$100.00 for

- Outdoor Sales and Service (on the City's sidewalk)

The application will be referred to the City Treasurer, Police, Building and Fire Departments for recommendations prior to City Council approval.

Revised 11/14/2007



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
 Request ID # 484641
 Business ID # 214385

LOCAL APPROVAL NOTICE
 [Authorized by MCL 436.1501]

September 3, 2008

TO: ANN ARBOR CITY COUNCIL
 100 NORTH FIFTH AVENUE
 PO BOX 8647
 ANN ARBOR, MI 48107-8647

APPLICANT: MIN & KIM INC

Home Address and Telephone No. or Contact Address and Telephone No.:
 KOUNWOO HUR, 2259 INDIAN CREEK CIRCLE, ANN ARBOR, MI 48105
 H(734)222-9737/B(734)355-2454
 SUNG H. KIM, 3020 ANDORA DRIVE, SUPERIOR TOWNSHIP, MI 48198
 H(734)222-0591/B(734)663-6868

2008 SEP 18 AM 8:12
 CITY OF ANN ARBOR
 CITY CLERK
 REC'D

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 636-4634.

PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2008 RESORT CLASS C LICENSED BUSINESS (MCL 436.1531(4); MINIMUM SEATING: 100; NON TRANSFERABLE), LOCATED AT 3125 BOARDWALK, ANN ARBOR, MI 48108, WASHTENAW COUNTY, FROM EM & M INC. TO MIN & KIM INC.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



CITY OF ANN ARBOR LIQUOR LICENSE APPLICATION

2008 OCT -8 PM 3:30

CITY OF ANN ARBOR CITY CLERK REC'D

The undersigned requests approval of the City of Ann Arbor to transfer an on-premise licensed business and/or to add/delete partners in an on-premise licensed business in the City and provides the following information in connection with that request. The signer declares that the information recorded in this application is accurate to the best of his or her knowledge.

Please check all that apply.

- XX TRANSFER OF OWNERSHIP OF ON-PREMISE LICENSED BUSINESS (\$1,000.00); TRANSFER OF LOCATION (\$500.00); CLASS A, B, C; RESORT, BREWPUB, BREWER; MICRO BREWER, WINE TASTING ROOM; SMALL WINE MAKER; BRANDY MANUFACTURER; ADDING OR DELETING PARTNERS(S) (\$500.00); DANCE/ENTERTAINMENT PERMIT (\$500.00); EXTENDED HOURS PERMIT (For Entertainment Purposes only) (\$500.00); ADDING OR DELETING SPACE (\$500.00); TRANSFER OF SDD AND/OR SDM (\$500.00 ea.); NEW SDD AND/OR SDM (\$500.00 ea.); OUTDOOR SALES AND SERVICE (\$100.00)

Please answer all questions completely, indicating n/a where applicable. Do not leave blank spaces. Incomplete applications may be refused or require additional processing time.

NOTE: As part of this application, PETITIONER MUST attach a copy of the complete application filed on his or her behalf for this license with the Michigan Liquor Control Commission. The application is not considered complete without the MLCC documents.

1. Full name and address of applicant(s), including aka(s): (Attach additional sheet if necessary). Name, Suite #, Address, City, State, Zip, Phone No., Email, aka(s), Name, Address

1. If the applicant is a corporation, give the corporate name and the names and addresses of the officers of the corporation: (Attach additional sheet if necessary).

Corporate Name: UMI Trading, Inc. 3599 Bent Trail Dr., Ann Arbor, MI 48104

Address: 3393-B Plymouth Road, Suite #: _____

City: Ann Arbor State: MI Zip: 48105

Officers (Please List): _____

_____ Seong-Jin Kim, 3599 Bent Trail Dr., Ann Arbor, MI 48104

Jeong-Ok Kim, 3599 Bent Trail Dr., Ann Arbor, MI 48108

Business Name (D.B.A.): _____

If adding partners, list names and addresses of partners being added (Use separate sheet for additional partners.):

Name: _____

Name: _____

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

If deleting partners, list names and addresses of partners being deleted (Use separate sheet for additional partners.):

Name: _____

Name: _____

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

2. Name and location of establishment currently licensed:

Name: Champ's Club, Inc

Address: 3965 S. State, Suite #: _____

City: Ann Arbor State: MI zip: 48104

Phone # (if known): _____

Personal Property Tax ID No. (if licensed in Ann Arbor): _____

Is this establishment currently operating? _____ Yes _____ xx No

Name of current license holder: (Include corporate name and business name (d.b.a.) if known).

Name: _____ Champ's Club, Inc _____

Corporate Name: _____ Champ's Club, Inc _____

Business Name: _____ Zeno's _____

d.b.a. (if known) _____

3. *If transfer involves relocation of the license, skip to question 4.*

Are renovations to the existing structure planned? Yes _____ No _____

If yes, detail plans, including estimated cost:

4. If the transfer involves relocation of the license, list the address to which the license is to be relocated:

Address: _____ 3393-B Plymouth Rd. _____ Suite #: _____

City: _____ Ann Arbor _____ Zip: _____ 48105 _____

Will a building be constructed at the above address? _____ xx Yes _____ No

If yes, list construction details (including type of building to be constructed, square footage to be licensed, seating to be available, anticipated construction period, estimated construction cost, etc.):

If no, are renovations planned for the existing structure?

Yes _____ No _____

Detail plans, including estimated cost:

5. What other types of licenses/permits will be transferred and held in conjunction with the on-premise license? (e.g., Dance Permit, Entertainment Permit, Extended Hours Permit, SDM License, etc.)

Class C, Sunday Sales & SDM

6. Detail plans for operation of the establishment to be licensed (e. g., nature of business, operating hours, number of employees, entertainment, dance, food, etc.):

Japanese restaurant in sushi bar

7. Do any of the applicants or their spouses operate or have a financial interest in any other establishment licensed by the Michigan Liquor Control Commission (in the case of a corporate applicant, this question applies to all owners/stockholders of the corporation)?

_____ Yes No

If yes, give the name and location of the establishment, type of license, and financial interest of each individual so involved (use a separate sheet if more than one individual is involved):

Name: _____

Address: _____ Suite #: _____

City: _____ State: _____ Zip: _____

Type of License: _____

Financial Interest: _____

8. Are any personal property, real estate taxes or any other obligation to the City owed by the current holder of the license?

_____ Yes _____ No

Failure to report and pay these obligations may result in a delay in processing this application.

If yes, detail amount:

Personal Property or Real Estate Tax ID No.: _____

Note: Section 9:77 of the Ann Arbor City Code prohibits the City Council from recommending approval of the transfer or renewal of a liquor license if the owner is delinquent in the payment of personal property taxes or any other obligation to the City.

10/3/2008

Date



Signature

Seong-Jin Kim,
Printed Name

President

If Corporate Officer, state title
(734) 255-8249

Phone Number

There is a nonrefundable city application fee of \$1,000.00 for the following activities:

- ownership transfer of on-premise license
- ownership transfer of SDD/SDM license (held in conjunction with on-premise license)

There is a nonrefundable city application fee of \$500.00 for each of the following activities:

- location transfer of on-premise license
- new and/or transfer of SDD/SDM license (held in conjunction with on-premise license)
- dance/entertainment permit/extended hours
- adding/deleting partners
- adding/deleting space

There is a nonrefundable city application fee of \$100.00 for

- Outdoor Sales and Service (on the City's sidewalk)

The application will be referred to the City Treasurer, Police, Building and Fire Departments for recommendations prior to City Council approval.

Revised 10/2/2008



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY
 Request ID # 487105
 Business ID # 215055

LOCAL APPROVAL NOTICE
 [Authorized by MCL 436.1501]

October 21, 2008

TO: ANN ARBOR CITY COUNCIL
 100 NORTH FIFTH AVENUE
 PO BOX 8647
 ANN ARBOR, MI 48107-8647

2008 OCT 28 PM 12:12
 CITY OF ANN ARBOR
 CITY CLERK
 REC'D

APPLICANT: UMI TRADING, INC.

Home Address and Telephone No. or Contact Address and Telephone No.:
 JEONG-OK KIM, 3599 BENT TRAIL DRIVE, ANN ARBOR, MI 48108
 H(734)213-3706/B(734)255-8346
 SEONG-JIN KIM, 3599 BENT TRAIL DRIVE, ANN ARBOR, MI 48108
 H(734)213-3706/B(734)255-8346

CONTACT: (DE LOOF, HOPPER, DEVER & WRIGHT, PLLC), ATTENTION ATTORNEY
 TERRANCE P. CONLIN, 301 NORTH MAIN STREET, SUITE 250, ANN ARBOR, MI 48104
 (734)994-1295 X35

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 636-4634.

PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2008 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED IN ESCROW AT 3965 S STATE, ANN ARBOR, MI 48108, WASHTENAW COUNTY, FROM CHAMP'S CLUB, INC. TO UMI TRADING, INC.; AND TRANSFER LOCATION TO 3393 PLYMOUTH, UNIT B, ANN ARBOR, MI 48105, WASHTENAW COUNTY.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



CITY OF ANN ARBOR LIQUOR LICENSE APPLICATION

2008 OCT -8 PM 3:25
CITY OF ANN ARBOR
CITY CLERK
REC'D

The undersigned requests approval of the City of Ann Arbor to transfer an on-premise licensed business and/or to add/delete partners in an on-premise licensed business in the City and provides the following information in connection with that request. The signer declares that the information recorded in this application is accurate to the best of his or her knowledge.

Please check all that apply.

- XX TRANSFER OF OWNERSHIP OF ON-PREMISE LICENSED BUSINESS (\$1,000.00)
XX TRANSFER OF LOCATION (\$500.00)
CLASS A, CLASS B, CLASS C
RESORT, BREWPUB, BREWER
MICRO BREWER, WINE TASTING ROOM
SMALL WINE MAKER
BRANDY MANUFACTURER
ADDING OR DELETING PARTNERS(S) (\$500.00)
DANCE/ENTERTAINMENT PERMIT (\$500.00)
EXTENDED HOURS PERMIT (For Entertainment Purposes only) (\$500.00)
ADDING OR DELETING SPACE (\$500.00)
TRANSFER OF SDD AND/OR SDM (\$500.00 ea.) (In conjunction with an on-premise license)
NEW SDD AND/OR SDM (\$500.00 ea.)
OUTDOOR SALES AND SERVICE (\$100.00)

Please answer all questions completely, indicating n/a where applicable. Do not leave blank spaces. Incomplete applications may be refused or require additional processing time.

NOTE: As part of this application, PETITIONER MUST attach a copy of the complete application filed on his or her behalf for this license with the Michigan Liquor Control Commission. The application is not considered complete without the MLCC documents.

1. Full name and address of applicant(s), including aka(s): (Attach additional sheet if necessary).
Name: Suite #:
Address: City:
Suite #: State: Zip:
City: Phone No.:
State: Zip: Email:
Phone No.: aka(s):
Email:
aka(s):
Name:
Address

1. If the applicant is a corporation, give the corporate name and the names and addresses of the officers of the corporation: (Attach additional sheet if necessary).

Corporate Name: UMI Trading, Inc. 3599 Bent Trail Dr., Ann Arbor, MI 48104

Address: 3393-B Plymouth Road, Suite #: _____

City: Ann Arbor State: MI Zip: 48105

Officers (Please List): _____

_____ Seong-Jin Kim, 3599 Bent Trail Dr., Ann Arbor, MI 48104

Jeong-Ok Kim, 3599 Bent Trail Dr., Ann Arbor, MI 48108

Business Name (D.B.A.): _____

If adding partners, list names and addresses of partners being added (Use separate sheet for additional partners.):

Name: _____

Name: _____

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

If deleting partners, list names and addresses of partners being deleted (Use separate sheet for additional partners.):

Name: _____

Name: _____

Address: _____

Address: _____

Suite #: _____

Suite #: _____

City: _____ State: _____

City: _____ State: _____

Zip: _____

Zip: _____

Phone # (if known): _____

Phone # (if known): _____

2. Name and location of establishment currently licensed:

Name: _____ Champ's Club, Inc _____

Address: 3965 S. State, Suite #: _____

City: Ann Arbor State: MI zip: 48104

Phone # (if known): _____

Personal Property Tax ID No. (If licensed in Ann Arbor): _____

Is this establishment currently operating? _____ Yes _____ xx No

Name of current license holder: (Include corporate name and business name (d.b.a.) if known).

Name: Champ's Club, Inc

Corporate Name: Champ's Club, Inc

Business Name: Zeno's

d.b.a. (if known) _____

3. *If transfer involves relocation of the license, skip to question 4.*

Are renovations to the existing structure planned? Yes _____ No _____

If yes, detail plans, including estimated cost:

4. If the transfer involves relocation of the license, list the address to which the license is to be relocated:

Address: 3393-B Plymouth Rd. Suite #: _____

City: Ann Arbor Zip: 48105

Will a building be constructed at the above address? xx Yes _____ No

If yes, list construction details (including type of building to be constructed, square footage to be licensed, seating to be available, anticipated construction period, estimated construction cost, etc.):

If no, are renovations planned for the existing structure?

Yes _____ No _____

Detail plans, including estimated cost:

5. What other types of licenses/permits will be transferred and held in conjunction with the on-premise license? (e.g., Dance Permit, Entertainment Permit, Extended Hours Permit, SDM License, etc.)

Class C, Sunday Sales & SDM

6. Detail plans for operation of the establishment to be licensed (e.g., nature of business, operating hours, number of employees, entertainment, dance, food, etc.):

Japanese restaurant in sushi bar

7. Do any of the applicants or their spouses operate or have a financial interest in any other establishment licensed by the Michigan Liquor Control Commission (in the case of a corporate applicant, this question applies to all owners/stockholders of the corporation)?

_____ Yes _____xx_____ No

If yes, give the name and location of the establishment, type of license, and financial interest of each individual so involved (use a separate sheet if more than one individual is involved):

Name: _____

Address: _____

Suite #: _____

City: _____

State: _____

Zip: _____

Type of License: _____

Financial Interest: _____

8. Are any personal property, real estate taxes or any other obligation to the City owed by the current holder of the license?
_____ Yes _____ No


Failure to report and pay these obligations may result in a delay in processing this application.

If yes, detail amount:

Personal Property or Real Estate Tax ID No.: _____

Note: Section 9:77 of the Ann Arbor City Code prohibits the City Council from recommending approval of the transfer or renewal of a liquor license if the owner is delinquent in the payment of personal property taxes or any other obligation to the City.

10/3/2008
Date


Signature

Seong-Jin Kim,
Printed Name

President
If Corporate Officer, state title
(734) 255-8249

Phone Number

There is a nonrefundable city application fee of \$1,000.00 for the following activities:

- ownership transfer of on-premise license
- ownership transfer of SDD/SDM license (held in conjunction with on-premise license)

There is a nonrefundable city application fee of \$500.00 for each of the following activities:

- location transfer of on-premise license
- new and/or transfer of SDD/SDM license (held in conjunction with on-premise license)
- dance/entertainment permit/extended hours
- adding/deleting partners
- adding/deleting space

There is a nonrefundable city application fee of \$100.00 for

- Outdoor Sales and Service (on the City's sidewalk)

The application will be referred to the City Treasurer, Police, Building and Fire Departments for recommendations prior to City Council approval.

Revised 10/2/2008



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 487105

Business ID # 215055

LOCAL APPROVAL NOTICE

[Authorized by MCL 436.1501]

October 21, 2008

TO: ANN ARBOR CITY COUNCIL
 100 NORTH FIFTH AVENUE
 PO BOX 8647
 ANN ARBOR, MI 48107-8647

APPLICANT: UMI TRADING, INC.

Home Address and Telephone No. or Contact Address and Telephone No.:

JEONG-OK KIM, 3599 BENT TRAIL DRIVE, ANN ARBOR, MI 48108
 H(734)213-3706/B(734)255-8346
 SEONG-JIN KIM, 3599 BENT TRAIL DRIVE, ANN ARBOR, MI 48108
 H(734)213-3706/B(734)255-8346

CONTACT: (DE LOOF, HOPPER, DEVER & WRIGHT, PLLC), ATTENTION ATTORNEY
 TERRANCE P. CONLIN, 301 NORTH MAIN STREET, SUITE 250, ANN ARBOR, MI 48104
 (734)994-1295 X35

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 636-4634.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

sfs

2008 OCT 28 PM 12:12
 CITY OF ANN ARBOR
 CITY CLERK
 REC'D

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2008 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED IN ESCROW AT 3965 S STATE, ANN ARBOR, MI 48108, WASHTENAW COUNTY, FROM CHAMP'S CLUB, INC. TO UMI TRADING, INC.; AND TRANSFER LOCATION TO 3393 PLYMOUTH, UNIT B, ANN ARBOR, MI 48105, WASHTENAW COUNTY.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)

Elias, Abigail

From: Lloyd, Mark
Sent: Monday, December 08, 2008 11:49 AM
To: Greden, Leigh; McDonald, Kevin; Postema, Stephen
Cc: Hieftje, John; Fraser, Roger; Miller, Jayne
Subject: RE: PRIVILEGE: Questions re: proposed Germantown district

In response to question #2 below Planning staff did advise the representative from City Place (and other petitioners historically) that we do not accept simultaneous applications for projects on the same property. This was done earlier this year in June. The petitioner recently indicated they were going to submit a "by right" proposal in time for our submittal deadline last week but never followed through. Upon being made aware of this, Jeff Kahan made a request to the Attorney's Office for direction on this (see e-mail excerpt from Jeff Kahan below). Although we have been advised by the Attorney's Office that there is no language in code prohibiting this, we have not been informed by the Attorneys office that this is "allowed". Likewise, there is no language in code permitting simultaneous applications. Seems to me sound policy (which we have) is appropriate unless we are legally obligated one way or the other.

From a practical standpoint, it would become very confusing for staff, decision makers and in particular the public if we begin to allow multiple projects to be submitted for one site at the same time or to otherwise have more than one approved project on a particular site. There are many important issues to think about when considering this concept. One question to ponder is if we were to allow more than one project to be submitted simultaneously, how many would we allow? What if there were, let's say, seven? This matter obviously needs additional dialogue to properly respond to Leigh's question. We will follow up with a formal discussion on this matter immediately with Planners and the Attorney's office and report out as soon as possible.

Mark, Connie:

Regarding Leigh's question #2 below:

Jamie Gorenflo called me on November 20, 2008 indicating that the petitioner was contemplating a "by right" petition and was considering submitting on the December 1, 2008 deadline. I informed Jamie that I would explore the question of whether we can accept a second petition while another petition is reviewed. I informed staff of this conversation and sent a separate request for guidance to Kevin on November 25, 2008 asking about whether we could handle two petitions simultaneously. The petitioner did not submit a petition on December 1. Although I haven't received a written response from Kevin, he indicated in a brief conversation in my office that he could find no language that would preclude another petition being submitted while a first petition was active. To date, I have neither informed Jamie that he could or could not submit simultaneous petitions.

Jeff

Mark D. Lloyd
Planning and Development Services Manager
City of Ann Arbor, MI
vox: (734) 994-2799
fax: (734) 994-2798

From: Greden, Leigh
Sent: Sunday, December 07, 2008 1:39 PM
To: McDonald, Kevin; Postema, Stephen
Cc: Hieftje, John; Fraser, Roger; Miller, Jayne; Lloyd, Mark
Subject: PRIVILEGE: Questions re: proposed Germantown district

ATTORNEY-CLIENT PRIVILEGE

Two councilmembers may soon propose a Germantown historic district. Questions:

1. Can a moratorium against demolition be legally put in place there if there is a pending petition for demolition and/or pending site plan? Seems like that might be a taking (or something else bad and illegal).

2. Developer of City Place wants to submit simultaneous site plans for his property, but Lloyd's staff told him no. I understand that City Attorney's position is that developer should be allowed to do this. Where do we stand on this?

-Leigh

Elias, Abigail

Subject: Canceled: Brownfield Review Committee - Standing Meeting
Location: TBD - Council Workroom likley

Start: Mon 12/8/2008 5:45 PM
End: Mon 12/8/2008 6:45 PM
Show Time As: Free

Recurrence: Monthly

Organizer: Naud, Matthew
Required Attendees: Naud, Matthew; Thacher, Jill A.S.; Crawford, Tom; Lloyd, Mark; Greden, Leigh; Higgins, Marcia; Smith, Sandi; McDonald, Kevin; Fales, Mary Joan

Importance: High

Cancelling with nothing on the agenda

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 11:55 AM
To: Taylor, Christopher (Council)
Subject: RE: Proposed zoning for South University

Thanks for the comments.

1. I agree my statement that South U is downtown will set them off. Frankly, that's my goal. I am irritated as hell that anyone is even hinting -- let alone outright saying -- that South U is not downtown. It is by all definitions, and always has been ever since any of them bought their houses. (Sometimes I antagonize my own constituents, admittedly at my own risk!)
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-----Original Message-----

From: Taylor, Christopher (Council)
Sent: Sunday, December 07, 2008 3:01 PM
To: Greden, Leigh
Subject: RE: Proposed zoning for South University

You want \$0.02? I give \$0.02. :-)

Comments in [brackets] throughout. Call if you like.

Cheers,

C.

* * *

Dear 3rd Ward Resident-

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-Leigh Greden, Member of City Council

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 11:56 AM
To: Fraser, Roger; McCormick, Sue
Subject: Sidewalk appeal on Edgewood

Just following up on the Edgewood sidewalk re-building issue. Roger granted the appeals for the two properties on Edgewood that have "sidewalks to nowhere." The residents have not received anything in writing confirming the appeal.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 11:58 AM
To: Hopkins, Samuel
Cc: Teall, Margie; Cretsinger, Melissa
Subject: Tentative: Updated: Fire Charter Meeting

Both Margie and I have a 1pm mtng on 12/15. I'll see if we can move the 1pm mtng to 1:45pm.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 11:58 AM
To: Crawford, Tom
Cc: Fraser, Roger
Subject: RE: Staff Memo RE: Budget Ideas

So we can't pawn off our work onto that person? Do they ever do any City work, or is it exclusively UM?

From: Crawford, Tom
Sent: Monday, December 08, 2008 8:41 AM
To: Greden, Leigh
Cc: Fraser, Roger
Subject: Re: Staff Memo RE: Budget Ideas

Everything is being considered but you should be aware 1 person is required to handle the issues with the UM, which they pay for.

Thanks,
Tom Crawford

On Dec 7, 2008, at 12:07 PM, "Greden, Leigh" <LGreden@a2gov.org> wrote:

My suggestion of the day: we only need 1 parking referee. One of our core services should not be to make it easier for people to avoid paying parking tickets. Such people can wait longer for their appeal to be heard. Let's eliminate the City-funded position and keep the UM-funded position.

From: Fraser, Roger
Sent: Tuesday, December 02, 2008 3:25 PM
To: *City Council Members (All)
Cc: Dempkowski, Angela A; Crawford, Tom; Jones, Barnett; McCormick, Sue; Miller, Jayne; Wilkerson, Robyn
Subject: Staff Memo RE: Budget Ideas

<image001.gif>

Council:

Most of you know that we are in the very first stages of developing a fiscal plan for the next two years (FY 2010 and FY 2011). For two primary reasons, we are sending the attached message to all City staff asking for their help in identifying ways we can cut expenditures by 15% over the next

two years. The first reason is that we have found significant value in soliciting budget suggestions from all parts of the organization. Sometimes the most interesting and helpful ideas come from those who directly provide services each day. The second reason is that the need for new ideas is compelling. We have been making some form of expenditure reductions in each budget since 2002. The current economic news blended with Michigan's tax structure drives us to believe that at least 5% reductions will be needed in each of the next two budget years. With each year that we have to make cuts, the choices are harder to make. The background is provided in more detail in the attachment.

We are asking staff to develop 15% reduction scenarios in the belief that ideas will come out that help us recommend to you in the spring a two year plan that is not simply across-the-board cuts in spending. We hope to offer a thoughtful collection of ideas (many from these 15% scenarios) that are applied so that the budget recommendations protect core services as much as possible while distributing cost reductions (or even revenue enhancements) where they can be handled best.

This email is being sent to you only minutes before an "All Employee" email goes out containing the information in the attachment you received with this email. I hope the explanation is helpful.

Roger Fraser

City Administrator

City of Ann Arbor

Office: (734) 994-2650

Fax: (734) 994-8297

E-mail: rfraser@a2gov.org

Elias, Abigail

Subject: Stoerm Rates Planning Session
Location: Sue's Office

Start: Mon 12/15/2008 3:30 PM
End: Mon 12/15/2008 5:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: McCormick, Sue

Elias, Abigail

From: Taylor, Christopher (Council)
Sent: Monday, December 08, 2008 12:24 PM
To: Greden, Leigh
Subject: RE: Proposed zoning for South University

Hey Leigh,

1. I don't mean to make a big thing here, but I think there's an important disconnect between South U = Downtown and the position articulated in my email of a week or so ago, which intended to state our joint position. We corresponded on this before I sent it out and to undermine the "gateway" judgment, *infra*, even just by implication, risks I believe turning folks who will likely reluctantly agree with our eventual plan as a lesser evil, into a crowd that doesn't trust you and thinks me unreliable. From my Joint Principles Email to Betsy:

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4) The D2 60 foot cap is too restrictive and would hinder South U's necessary revitalization.

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2. I'm absolutely open to listening. Newbie problem here - I'm not confident I have enough information to commit.

3. Ah yes! :-)

I'm in most all day, if you want to chat. Grab a bite before CC?

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Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 12:53 PM
To: Greden, Leigh; Fraser, Roger; Hieftje, John; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: RE: 12/15 agenda
Attachments: image002.gif

What is this addressing?

From: Greden, Leigh
Sent: Sun 12/7/2008 12:29 PM
To: Fraser, Roger; Hieftje, John; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: RE: 12/15 agenda

C-2 (graffiti) should include Taylor as a co-sponsor.

Why is DS-5 (pavement parking) 8 votes? By its title, it does not appear to be a budget amendment.

From: Fraser, Roger
Sent: Friday, December 05, 2008 9:03 AM
To: Greden, Leigh; Hieftje, John; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: FW: 12/15 agenda

Good Morning:

Attached is the first cut on the agenda for December 15.

Roger

From: Beaudry, Jacqueline
Sent: Thursday, December 04, 2008 4:40 PM
To: Fraser, Roger; Dempkowski, Angela A
Subject: FW: 12/15 agenda

Attached is the proposed agenda for December 15.

Jacqueline Beaudry

City Clerk

City of Ann Arbor

Please note new phone number:

734-794-6140 (p)

734-994-8296 (f)

From: Bowden (King), Anissa
Sent: Thursday, December 04, 2008 2:50 PM
To: Beaudry, Jacqueline
Subject: 12/15 agenda

Is attached.

Anissa R. Bowden | Council Administrative Coordinator
abowden@a2gov.org
City of Ann Arbor, Michigan,
Office of the City Clerk
100 N. Fifth Ave, Ann Arbor, Michigan 48104
PLEASE NOTE NEW PHONE NUMBER:
Internal : ext. 41402
External (734) 794-6144 ext. 41402



Elias, Abigail

From: Help
Sent: Monday, December 08, 2008 1:28 PM
To: *All Employees
Subject: Public and Community Services VOIP Training

Suntel is on schedule for the cutover of all of Public Services on Dec. 16th at 5:00pm, and all of Community Services on Dec. 18th at 5:00pm to the new phone system.

Suntel trainers are conducting 1 ½ hour training sessions all week, at both the Wheeler Service Center and City Center 1 locations and we encourage all staff from these and other agencies that haven't been trained to sign up and attend this week.

<http://acweb/training/leadership/classschedule.asp>

~ Information Technology

Elias, Abigail

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 3:01 PM
To: Greden, Leigh
Cc: Dempkowski, Angela A
Subject: RE: 12/15 agenda

I added Taylor as a sponsor to the Graffiti ordinance. I'll wait for Roger to answer regarding DS-5.

Jacqueline Beaudry

City Clerk

City of Ann Arbor

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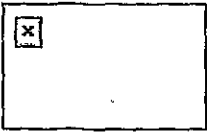
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Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 3:11 PM
To: Taylor, Christopher (Council)
Subject: RE: Proposed zoning for South University

Hmm. Good point. Blasted. Damn anti-development people!
I'm trying to rest as much as I can-- still not much energy from being sick-- so I'm going home before Council, but I'll definitely be there a little before 7.

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To: Greden, Leigh
Subject: RE: Proposed zoning for South University

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Elias, Abigail

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Subject: RE: Proposed zoning for South University

PS- Maybe I'm misinterpreting their statements that South U isn't "downtown." When I read that, I assume they're saying it's a residential neighborhood just like NPBA. That's what set me off. If, in fact, all they're saying is, "it's not D1," then I totally agree with that.

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4) The D2 60 foot cap is too restrictive and would hinder South U's necessary revitalization.

* * *

There's no question that South U is commercial, with material density; but it is not Main Street or Core and I think that the unmodified label of "downtown" will cause more trouble than its worth. I think you can make your point in a different manner and that antagonizing the D2 crowd is not necessary and counterproductive. Recognizing that you have a LOT more experience in these matters, I'm reluctant to state it so baldly and there may very well be considerations that I do not yet appreciate, but that's how I see it from where I stand.

2. I'm absolutely open to listening. Newbie problem here - I'm not confident I have enough information to commit.

3. Ah yes! :-)

I'm in most all day, if you want to chat. Grab a bite before CC?

C.

-----Original Message-----

From: Greden, Leigh
Sent: Mon 12/8/2008 11:54 AM
To: Taylor, Christopher (Council)
Subject: RE: Proposed zoning for South University

Thanks for the comments.

1. I agree my statement that South U is downtown will set them off. Frankly, that's my goal. I am irritated as hell that anyone is even hinting -- let alone outright saying -- that South U is not downtown. It is by all definitions, and always has been ever since any of them bought their houses. (Sometimes I antagonize my own constituents, admittedly at my own risk!)
2. Good pt about the North of South U / south of South U issue. Do you support that as a dividing line?
3. Ahh yes, reminder of eagerness to listen. That's why you new people are good!

-----Original Message-----

From: Taylor, Christopher (Council)
Sent: Sunday, December 07, 2008 3:01 PM
To: Greden, Leigh
Subject: RE: Proposed zoning for South University

You want \$0.02? I give \$0.02. :-)

Comments in [brackets] throughout. Call if you like.

Cheers,

C.

* * *

Dear 3rd Ward Resident-

Thank you for writing about the proposed re-zoning of the South University area as part of the A2D2 process. The City Council is not scheduled to consider this matter for several months. In reviewing this issue, I subscribe to several underlying principles:

1. The South University commercial area is, by all measures, a downtown area. [This doesn't seem consistent with a 'less than D1' position.] It is included inside the DDA district. It is characterized exclusively by features typical of an Ann Arbor downtown area, including on-street parking, street-front retail, multi-floor multi-use buildings, and mid- and high-density housing. It borders another downtown area (State Street). [South U clearly intersects State Street, but their residential/commercial areas are entirely unrelated.] It is home to one of the annual Art Fairs. It includes two large parking garages. [In the end, I think a "has downtown features" or "shares characteristics with DT" will draw less fire. A "SouthU = DT" will send the NBP to their computers real fast.] [Also, this paragraph is something different from 2-5 and perhaps 6. These are 'principles of development & urbanism' whereas this 1 (and perhaps 6) is a judgment about the character of a specific area. I'd put this #1/6 (as modified) in with your 'conclusions' or better still separate as 'facts relevant to the application of the principles'.]

2. Downtown development is good for the environment. National environmental organizations, including the Sierra Club and the Natural Resources Defense Council, support downtown density to decrease suburban sprawl and increase efficient utilization of public infrastructure. I attach for your review comments provided by the Michigan Environmental Council supporting Ann Arbor's plans to increase downtown density.

3. Downtown development helps locally owned shops. I attach an article from the Ann Arbor News summarizing comments the City Council received from locally-owned merchants in 2006. I also attach a report from Living Economy Network, a local group that promotes locally-owned businesses -- the types of shops that make Ann Arbor unique and that help grow our local economy. Unfortunately, they are a dying breed. Studies consistently show that downtown residents and downtown office workers spend more money at downtown locally-owned shops than any other consumer. We need more downtown residents and workers if we want these unique local shops to thrive.

4. Downtown development is good for the economy. Ann Arbor will feel fewer of the effects of the nationwide recession, and we will come out of the recession sooner than most other Michigan communities. Indeed, our unemployment rate remains the lowest in the State of Michigan and is lower than the nationwide rate. We must embrace our role as an engine of economic growth in Michigan. A group of business and non-profit leaders met recently to develop ideas for Ann Arbor's long-term future, and one of the ideas on which they agreed was the need to encourage new development in the urban core (i.e., downtown Ann Arbor) to attract jobs and residents.

5. Growth and change are inevitable. Indeed, "progress" is, by definition, the hallmark of a progressive community.

6. The eastern portion of the South University area is adjacent to single-family residential neighborhoods. The Calthorpe report -- as well as common sense -- require such areas to serve as transitions.

Considering these underlying principles, the many comments I have received the last three years regarding this process, and the A2D2 proposals, I have reached three basic conclusions:

1. D1 zoning is inappropriate for much [RED FLAG! If you envision a North of South U / South of South U divide, I'd suggest it here. Leaving this ambiguous will cause a lot of headaches in the NBP crowd.] of the South University area because it constitutes a transition area, and D1 therefore conflicts with principle #6 (above). In other words, D1 is simply too much for that area.

2. D2 zoning does not respect principles [I'd say "does not achieve the goals of"] #1, #2, #3, and #4 (above). It's simply too restrictive. Accordingly, the bulk of the South University area should be zoned somewhere between D1 and D2.

3. We need to enact an overall citywide height limit to ensure that all these principles remain in balance. Otherwise, developers can take advantage of Floor-Area Ratios (FAR) by gobbling up lots of land and constructing new buildings that do not achieve the required balance. I sponsored legislation that was passed by the City Council in the summer of 2008 directing the A2D2 planning groups to work on this issue, and I will see it through to completion when the final zoning changes come before City Council.

Thank you again for your comments on this important issue. [Close with another commitment to openness/listening or an allusion to the ongoing public meetings on A2D2 or A2D2Feedback as the best place to get involved?]

-Leigh Greden, Member of City Council

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 3:18 PM
To: 'Paula Klein'; Hohnke, Carsten
Subject: RE: Student Relations Committee Meeting

Hi Paula-

I am available 12/11 at 4pm. We'll wait to hear if Carsten is available. He has a brand new baby, so his schedule is not as flexible.

-Leigh

From: Paula Klein [mailto:paulaiklein@gmail.com]
Sent: Wednesday, December 03, 2008 11:19 PM
To: Greden, Leigh; Hohnke, Carsten
Subject: Student Relations Committee Meeting

Hello councilmen,

I want to express my appreciation to both of you for working with us on street lighting again, we have been receiving so much positive feedback and student interest after the community meeting and subsequent Daily articles that came out about it. It is always encouraging to see the campus react to a project we are working on, and MSA has felt really supported by city council all along the process this year.

Secondly, we had discussed setting up our second meeting of the Student Relations Committee, and I want to touch base about that. Next Thursday (Dec 11) after 4:00 would be ideal, but Wed and Friday are also possibilities. Let me know what time works, and I will notify the rest of the committee.

Best,

Paula Klein

Elias, Abigail

From: Fraser, Roger
Sent: Monday, December 08, 2008 3:42 PM
To: Higgins, Marcia; Greden, Leigh; Hieftje, John; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: RE: 12/15 agenda
Attachments: image001.gif

The proposal is for a multi-year agreement, subject to appropriations in the future years. Abbey said the multi-year feature triggers the eight-vote requirement.

From: Higgins, Marcia
Sent: Monday, December 08, 2008 12:53 PM
To: Greden, Leigh; Fraser, Roger; Hieftje, John; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: RE: 12/15 agenda

What is this addressing?

From: Greden, Leigh
Sent: Sun 12/7/2008 12:29 PM
To: Fraser, Roger; Hieftje, John; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: RE: 12/15 agenda

C-2 (graffiti) should include Taylor as a co-sponsor.

Why is DS-5 (pavement parking) 8 votes? By its title, it does not appear to be a budget amendment.

From: Fraser, Roger
Sent: Friday, December 05, 2008 9:03 AM
To: Greden, Leigh; Hieftje, John; Higgins, Marcia; Rapundalo, Stephen; Teall, Margie
Cc: Dempkowski, Angela A; Beaudry, Jacqueline
Subject: FW: 12/15 agenda

Good Morning:

Attached is the first cut on the agenda for December 15.

Roger

From: Beaudry, Jacqueline
Sent: Thursday, December 04, 2008 4:40 PM
To: Fraser, Roger; Dempkowski, Angela A
Subject: FW: 12/15 agenda

Attached is the proposed agenda for December 15.

Jacqueline Beaudry

City Clerk

City of Ann Arbor

Please note new phone number:

734-794-6140 (p)

734-994-8296 (f)

From: Bowden (King), Anissa
Sent: Thursday, December 04, 2008 2:50 PM
To: Beaudry, Jacqueline
Subject: 12/15 agenda

Is attached.

Anissa R. Bowden | Council Administrative Coordinator
abowden@a2gov.org
City of Ann Arbor, Michigan,
Office of the City Clerk
100 N. Fifth Ave, Ann Arbor, Michigan 48104
PLEASE NOTE NEW PHONE NUMBER:
Internal : ext. 41402
External (734) 794-6144 ext. 41402





Elias, Abigail

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 3:59 PM
To: Taylor, Christopher (Council)
Subject: GIS maps

Hi Chris:

The maps you requested from GIS are available for pick-up. They are too large for your mailbox so I am holding them here at the Clerk's counter for you. Just stop by at your convenience to pick them up.

Jackie

Jacqueline Beaudry

City Clerk

City of Ann Arbor

Please note new phone number:

734-794-6140 (p)

734-994-8296 (f)

Elias, Abigail

From: Smith, Sandi
Sent: Monday, December 08, 2008 4:11 PM
To: Susan Wineberg; Sabra Briere
Cc: Crawford, Tom; Dempkowski, Angela A
Subject: RE: city's website

Susan,
Thanks for letting us know. Maybe the website could state that it was designed for IE only. I know that most of my industry sites are that way and the providers are very slow to adapt to new browser technology.

I have cc'ed Tom Crawford, who is in charge of the city's IT department so maybe we can get browser compatability on a wish list.

Sandi Smith
Ann Arbor City Council
First Ward
734-302-3011

From: Susan Wineberg [mailto: [REDACTED]]
Sent: Mon 12/8/2008 3:59 PM
To: Sabra Briere; Smith, Sandi
Subject: city's website

You're going to think I'm a complainer--which I am! I have had difficulty emailing the council thru the website's link and lately trouble with getting the HDC packet. I finally figured it out. I use Mozilla as a browser and the website can only be accessed thru Internet Explorer. I don't know if this can be changed but it's weird and must leave a lot of people frustrated (like me, until I figured it out). Just thinking you might have some ideas about this. Thanks!
Susan

Susan Wineberg
IRLEE
[REDACTED]

712 E. Ann
Ann Arbor
[REDACTED]

Elias, Abigail

From: City Administrator's Office
Sent: Monday, December 08, 2008 4:15 PM
To: *All Employees
Subject: City Hall Water System

Earlier today, (12/8) a recirculation pump for the hot water system in City Hall started leaking and required removal to be repaired.

The hot water tank is functioning, but without the circulation pump, therefore it will take a while for warm water to flow to the individual restrooms. We anticipate that the pump will be reinstalled on Tuesday (12/9).

If you have any questions, please call D.L. Crum at 323-4158.

Elias, Abigail

From: Briere, Sabra
Sent: Monday, December 08, 2008 4:31 PM
To: Higgins, Marcia; Derezinski, Tony
Subject: my notes on the Council Rules
Attachments: RuleComments120808.doc

Dear Marcia and Tony,

I've attached my notes on the Council Rules. I'll have printed copies as well -- and I'm sorry not to have gotten these to you earlier, but I just finished them about 1/2 hour ago.

I hate to be so slow.

I'm looking forward to your insight into the rules.

*Sabra Briere
First Ward Councilmember
(734)995-3518
(734)484-3600 x 237 (work)*

Comments on Council Rules - December 8, 2008

Definitions

There is no section on definitions, but several terms are used in the Council Rules that are undefined. For instance, 'Chair' is used to describe the officiating officer - who may be the Mayor, Mayor Pro-Tem, or Acting Mayor. However, this role is never defined in the document.

For that matter, 'working committee of the Council' is referred to in several places. However, I have been unable to confirm that such a committee really exists. If this means a committee of the whole, that is, the entire Council, then it should be so defined. Otherwise, reference should be eliminated from the document.

To clear up any possible quibble or confusion, include a section on definition of terms.

Rule 3 - Agenda

Rule 3B ("Approval of the Draft Agenda") says "Council members may add items to the agenda at any time." Rule 3C (Categories - Approval of the Agenda") says "Matters not on the published agenda may be added at the time of approval of the agenda with the consent of $\frac{3}{4}$ of the members present."

These rules are not internally consistent. I think Rule 3C should be clarified by adding "and not added by Council members" to this sentence, so that it reads "Matters not on the published agenda, and not added by Council members, may be added at the time of the approval of the agenda with the consent of $\frac{3}{4}$ of the members present". This change will make it obvious that the right of Council members to add an item to the agenda at the time of its approval is absolute, and not limited by the $\frac{3}{4}$ requirement.

Rule 4 - Addressing Council During Meetings

"Public Speaking at Meetings" includes: "If speakers have materials they wish to hand out, they must signal to the clerk who will come forward to the speaker and hand them out." This procedure is not followed now. Instead, the speaker comes to the clerk. I think we should adjust the rule so that it

conforms to what we do. It should read: "If speakers have materials they wish to hand out, they must give the materials to the clerk, who will hand them out."

"Disorderly Conduct at Meetings" contains two provisions that go beyond what the Open Meetings Act allows:

"The Chair may call to order any person who engages in personal attacks, (which are unrelated to Council Business)..." is too restrictive of a citizen's right to address Council. Michigan Attorney General Opinion 5332 (July 13, 1978) makes it clear that a public body may adopt a rule prohibiting a "personal attack" on an officer, employee or governing board member only *if the criticism is totally unrelated* to the manner in which the officer, employee, or board member performs his or her duties. Also, in the federal case of *Gault v City of Battle Creek* (July 12, 1999), the district court said that rules could only *prohibit personal attacks when they were not of "public concern"*.

Therefore it would be better to amend the rule to say "The Chair may call to order any person who engages in personal attacks which are unrelated to any public concern." Otherwise, it could be said that the present rule prohibits personal attacks that are unrelated to matters on Council's agenda for the particular meeting.

The last paragraph of the "Disorderly Conduct" section says that further restrictions "including forfeiture of their right to speak or right to attend future Council meetings" may be imposed. It also says that "Such actions . . . shall be consistent with the Michigan Open Meeting Act." However, the Open Meetings Act does not give Council the authority to forfeit anyone's right to speak or right to attend future Council meetings. Michigan Compiled Laws Section 15.263(6) says: "A person shall not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting."

So the "forfeiture" clause should be deleted from this last paragraph.

Rule 13 - Ordinances, How Introduced - has two problems:

1. The rule says "Proposed ordinances shall be introduced by one or more individual members of Council." It does not set forth any other way of introducing ordinances. However, our agendas contain many ordinances (including rezoning ordinances) that are introduced by staff, not Council members. It could be said that under the current rule, an ordinance, introduced by staff and ultimately adopted, had not been legally adopted because it had not been introduced by a Council member. To avoid this difficulty, and conform the rule to our current practice, I think this sentence should be deleted.
2. The rule also says "Ordinances shall be reported back to the working committee of the Council." This committee does not exist. Thus, that sentence should also be deleted.

The remainder of Rule 13 should be retitled as "Ordinances, Referral Process" and should only say: "Proposed ordinances may be referred to any or all of the following: the city Attorney, the City Administrator, appropriate agencies, and Council committees, for study and recommendation."

Rule 14 - Demise of Ordinances and Resolutions

I see no need for this rule. I think it should be deleted altogether. We should keep our options open, and not be governed by rigid time limits.

Rule 15 - Committees and Officers Must Report

This rule is not followed now, and I don't feel that we should mandate quick reports. In addition, this rule refers to the nonexistent working committee. This rule should be deleted entirely.

Elias, Abigail

From: Brix, Andrew
Sent: Monday, December 08, 2008 4:43 PM
To: 'Conan Smith'; Hieftje, John; Patricia Denig
Cc: Satterlee, Joanna; Hupy, Craig
Subject: RE: Climate Communities Climate Action Week
Attachments: blueprint_press_release.doc

Conan,

Given the changes at the Ann Arbor News and the fact that we've shown most of our projects to the media before in the past, we are planning to stick to a simple press release this week. We may be open to collaborating on the press release, though, especially if that means having additional projects to promote.

For those that don't have it yet, attached is the template press release from ICLEI, which I have not had a chance to get started on (hopefully tomorrow?).

Cheers,

Andrew Brix
Energy Office
City of Ann Arbor
abrix@a2gov.org
734 996 3179 (voice)
734 996 3064 (fax)
www.a2gov.org/energy

From: Conan Smith [mailto:conan@suburbsalliance.org]
Sent: Friday, December 05, 2008 10:25 AM
To: Hieftje, John; Brix, Andrew; Patricia Denig
Subject: Climate Communities Climate Action Week

Would you all like to collaborate on a press event/press release for Climate Communities next week? They're looking to showcase projects that have a GHG impact and both the city and county have some great ones. Things they're looking for:

- Transit construction projects;
- Local program to retrofit residential, commercial and/or government buildings for energy efficiency;
- Construction of new energy-efficient government buildings;
- Green infrastructure construction;
- Construction of renewable energy projects;
- Green technology projects (e.g., LED street light replacement, alternative fuels infrastructure); and
- Other climate change and clean energy projects that put people to work.

I'm thinking something simple . . . grab a reporter from the A2N, maybe the Observer, maybe MI Radio and do a short tour with them of some of the things we're doing here: DDA project, Farmers Market, LED lights, Wind Power test site, County Solar project, Wally (WALLE?WALLY?!). We could take an hour or so with them next week and try to get some press generated.

This is important timing since Congress is considering integrating funding for the Energy Efficiency Block Grant program into the stimulus package. That would be direct funding for both A2 and Washtenaw.

I've attached the Climate Communities blueprint. I can handle the heavy lifting here with some support from the County staff if you all are interested . . .

Conan

Conan Smith
Washtenaw County Commissioner
Executive Director, Michigan Suburbs Alliance

300 E Nine Mile
Ferndale, MI 48220
p. 248-546-2380
f. 248-546-2369
m. 734-891-2241
www.eWashtenaw.org
www.SuburbsAlliance.org

For Immediate Release: DATE

Contact:

LOCAL NAME, PHONE NUMBER, EMAIL

Ann Brown for Climate Communities, 202-478-6135, abrown@annbrowncommunications.com

Annie Strickler, ICLEI USA, 510-844-0699 x328, annie.strickler@icleiusa.org

LOCAL OFFICIAL NAME Joins Local Governments Nationwide to Call on President-elect Obama and Congress to Invest Stimulus Dollars in Local Climate Action

CITY'S/COUNTY'S Initiatives Provide Opportunity for Green Jobs, Energy Independence, Emissions Reductions

Anytown, USA – LOCALIZE, FOR EXAMPLE. Mayor Joe Smith, Rep. Mary Jones (D-15th) and city officials gathered today outside one of 10 buildings the city has retrofitted with energy-efficient lighting fixtures and called on President-elect Obama and the incoming Congress to invest stimulus dollars in local climate action as a quick and effective way to create new green jobs, revitalize the economy and promote energy independence.

"We were pleased that during his campaign, President-elect Obama indicated support for investment in energy saving projects to help create jobs and spur economic recovery," said LOCAL ELECTED OFFICIAL. "We want President-elect Obama and Congress to know that with federal assistance we are ready to put hundreds of Anytown citizens to work in jobs that will reduce our dependence on foreign oil and cut greenhouse gas emissions."

Increasingly, economists are promoting green jobs as key to the country's economic recovery and long-term growth. INCLUDE LOCAL EXAMPLE OF READY-TO-GO PROJECT. FOR EXAMPLE. The mayor described four projects that could be implemented in the next 12 months if federal funds are made available, including an \$8 million investment in energy saving street lights, a \$4 million weatherization initiative for low-income residents, \$10 million to retrofit schools with energy efficient heating, cooling, lighting and windows and a \$50 million transit project that will decrease vehicle miles traveled by 10 percent. All together, the city estimates that these programs would create 250 jobs and reduce greenhouse gas emissions by 5 percent in 5 years.

LOCAL ELECTED OFFICIAL and more than XXX other local elected officials nationwide joined with Climate Communities and ICLEI USA this week to endorse *Empowering Local Government Climate Action: Blueprint for the New President and 111th Congress*. "Climate Communities and ICLEI USA are organizing city and county leaders from across America to make sure that federal decision makers understand the essential role of local governments in reducing energy use and addressing climate change," said Roger Dickinson, Sacramento County Supervisor and a Climate Communities Executive Committee member. "We look forward to working with President-elect Obama and Congress to ensure that federal policies empower local communities with the tools and resources we need to get the job done." Download the Blueprint at www.climatecommunities.us/endorseblueprint.html or www.icleiusa.org/blueprint.

Local government actions have the potential to dramatically reduce energy consumption and greenhouse gas emissions. According to the Energy Information Administration, more than 40 percent of energy consumption and carbon emissions come from residential and commercial buildings and one-third is generated by the transportation sector.

"Supporting local government action should be a top priority as Washington develops new economic stimulus, climate and energy policies," said LOCAL ELECTED OFFICIAL. "Local governments set and enforce building codes, we determine transportation and land use policies and we are dramatically affected when our communities suffer untold human and economic loss from floods, wildfires, water shortages and other climate events."

"Local governments have laid the foundation for this country's response to global warming, providing the leadership, solutions and innovation that city by county by town have helped curb greenhouse gas emissions and reduce energy use and costs," said Michelle Wyman, Executive Director of ICLEI USA.

Currently there are no federal programs to support local climate and energy initiatives. The Local Government Climate Action Blueprint calls for stimulus legislation to include \$6 billion for the Energy Efficiency and Conservation Block Grant program and \$9 billion for public transit and green vehicles infrastructure. The Blueprint outlines many other opportunities for the federal government to invest in local government innovation, including:

- Enactment of a national GHG cap-and-trade program with a portion of the estimated \$150 billion carbon trading revenues invested in local government climate action and green jobs initiatives;
- Investment in public transit, green vehicles and vehicle miles traveled (VMT) reduction through reauthorization of \$400 billion federal transportation legislation; and
- \$250 million for EPA Local Climate Demonstration Grants that empower local governments to continue creating new solutions to the climate challenge.

Today's event was part of "Local Climate Action Week," when dozens of city and county officials are showcasing energy and climate innovations, sending the message to federal leaders that given support, local governments can and should be a critical partner in addressing climate change, achieving energy security and developing a green economy.

About Climate Communities: Climate Communities is a national coalition of cities and counties that is educating federal policymakers about the essential role of local governments in addressing climate change and promoting a strong local-federal partnership to reduce greenhouse gas emissions. For more information, see www.climatecommunities.us.

About ICLEI Local Governments for Sustainability: ICLEI USA provides expertise, technical support, and innovative tools to help local governments advance their emissions reductions and sustainability goals. More than 500 cities, towns and counties in the U.S. are members of ICLEI. For more information, see www.icleiusa.org.

Elias, Abigail

From: Miller, Jayne
Sent: Monday, December 08, 2008 5:09 PM
To: Fraser, Roger; Anglin, Mike; Briere, Sabra; Dereziński, Tony; Greden, Leigh; Hieftje, John; Higgins, Marcia; Hohnke, Carsten; Rapundalo, Stephen; Smith, Sándi; Taylor, Christopher (Council); Teall, Margie
Cc: McDonald, Kevin; Postema, Stephen; Beaudry, Jacqueline; Lloyd, Mark
Subject: Germantown Resolutions
Attachments: Resolution Est Germantown Study Comm.doc

Mayor and Council, Councilmember Briere requested that staff prepare a resolution establishing an Historic District (German Town). I have attached the draft resolution for everyone. The district boundaries have been left intentionally vague, since those are set by the study committee after they figure out which structures are appropriate to include. This is how it was worded for the Broadway study committee.

Jayne Miller
Community Services Area Administrator
City of Ann Arbor
jmiller@a2gov.org
734-994-2704 (phone)
734-994-8460 (fax)
www.a2gov.org

Resolution Establishing Germantown
Historic District Study Committee

Whereas, The City is interested in protecting and preserving historic properties in the City;

Whereas, The Germantown District includes properties that are architecturally, historically, and culturally significant to the City;

Whereas, There is public interest in the future development of this area; and

Whereas, According to Michigan law and the Ann Arbor Code, Chapter 103, Section 8:408, the City must receive a report from a historic district study committee before establishing a historic district;

RESOLVED, That the Ann Arbor City Council hereby establish the Germantown Historic District Study committee;

RESOLVED, That the area to be examined by this committee ("Study Area") be generally the area between Fourth Avenue and Division Street, south of the East William Historic District;

RESOLVED, That this study committee consist of seven members that are consistent with Section 8:408 of City Code, to be appointed by the City Council;

RESOLVED, That the charge of the study committee be those duties set forth in Sections 8:408 and 8:410 of Chapter 103 of the Ann Arbor City Code; and

RESOLVED That the term of this study committee be one year and it report its findings and recommendations to the City Council no later than February, 2010.

Elias, Abigail

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 5:24 PM
To: Derezinski, Tony; Tony Derezinski (tderezinski@comcast.net)
Cc: Ristenbatt, Phil
Subject: FW: Agenda for 12/12 Liquor License Committee meeting
Attachments: Liquor Committee agenda 121208.doc; 2008-10-17 liquor committee minutes.doc; 3125 boardwalk.pdf; 3393-B Plymouth Rd..pdf

Tony:

From my end, it appears that the attachments were sent. I'm sending them again and including your home email as well. Let me or Phil know if you are still not getting attachments with your City email.

Thanks,

Jackie

Jacqueline Beaudry
City Clerk
City of Ann Arbor
Please note new phone number:
734-794-6140 (p)
734-994-8296 (f)

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 11:04 AM
To: Rapundalo, Stephen; Derezinski, Tony; Anglin, Mike
Cc: Fales, Mary Joan; Connelly, Jeff; Chamberlain, Kathleen
Subject: Agenda for 12/12 Liquor License Committee meeting

Hi!
Attached is the draft agenda and documents for this Friday's meeting. Please let me know if you have additional items that you would like added to the agenda.
Thanks!

Jackie

Jacqueline Beaudry
City Clerk
City of Ann Arbor
Please note new phone number:
734-794-6140 (p)
734-994-8296 (f)

Elias, Abigail

From: Dereziński, Tony
Sent: Monday, December 08, 2008 5:30 PM
To: Beaudry, Jacqueline
Subject: RE: Agenda for 12/12 Liquor License Committee meeting

Got 'em!

Thanks!
tonyd

From: Beaudry, Jacqueline
Sent: Monday, December 08, 2008 5:24 PM
To: Dereziński, Tony; Tony Dereziński (tdereziński@comcast.net)
Cc: Ristenbatt, Phil
Subject: FW: Agenda for 12/12 Liquor License Committee meeting

Tony:

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Jacqueline Beaudry
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Please note new phone number:
734-794-6140 (p)
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Sent: Monday, December 08, 2008 11:04 AM
To: Rapundalo, Stephen; Dereziński, Tony; Anglin, Mike
Cc: Fales, Mary Joan; Connelly, Jeff; Chamberlain, Kathleen
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Thanks!

Jackie

Jacqueline Beaudry
City Clerk
City of Ann Arbor
Please note new phone number:

734-794-6140 (p)
734-994-8296 (f)

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:05 PM
To: Harrison, Venita
Cc: Teall, Margie
Subject: 12/15 Art mtng

Margie and I have a 12pm Fire mtng that was just scheduled. Can we move our 1pm Art PR mtng to 1:45pm?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:05 PM
To: Teall, Margie
Cc: Crawford, Tom
Subject: Pre-Fire mtng

M- Tom wants to meet with just you and me sometime before the 12/15 Fire mtng. I'm pretty flexible this week. What is your availability?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:06 PM
To: McCormick, Sue; Weinert, Bryan C
Cc: Teall, Margie
Subject: Recycling

NY TIMES front page, and NBC NEWS, both report that prices for the sale of recycled goods have plummeted. Is our Solid Waste recycling revenue budget in trouble?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:08 PM
To: Weinert, Bryan C; McCormick, Sue
Subject: FW: Ann Arbor and RecycleBank.com

FYI

-----Original Message-----

From: Iacob, Ruxandra [mailto:████████████████████]
Sent: Monday, December 08, 2008 3:37 PM
To: Hieftje, John; Smith, Sandi; Briere, Sabra; Rapundalo, Stephen; Derezinski, Tony; Taylor, Christopher (Council); Greden, Leigh; Higgins, Marcia; Teall, Margie; Hohnke, Carsten; Anglin, Mike
Subject: Ann Arbor and RecycleBank.com

I just found out about <http://www.recyclebank.com/> and I am wondering if the city of Ann Arbor would like to be the first city in Michigan to join the communities in 14 states that are already partners with RecycleBank.

You may see which communities are participating at <http://www.recyclebank.com/about/partners>.

The idea is that: "The amount recycled is converted into RecycleBank points, which can be used to order rewards" at companies participating in this program.

RecycleBak Rewards Partners are listed at:
http://www.recyclebank.com/my_rewards/reward_partners

I would be more than happy to help with getting Ann Arbor to represent Michigan!

Thank you very much for your time,

Ana Iacob
2603 Braeburn Circle
Ann Arbor

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:09 PM
To: Greden, Leigh
Subject: i just had a rules committee meeting with Sabra and Tony.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:09 PM
To: Higgins, Marcia
Subject: RE: I just had a rules committee meeting with Sabra and Tony.

Oh yes.... how did THAT go??

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:09 PM
To: Greden, Leigh
Subject: I just had a rules committee meeting with Sabra and Tony.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:11 PM
To: Dempkowski, Angela A
Subject: RE: Council Agendas for 1/5 and 1/20

Yup! Thx

From: Dempkowski, Angela A
Sent: Monday, December 08, 2008 4:04 PM
To: Greden, Leigh
Subject: RE: Council Agendas for 1/5 and 1/20

Leigh: Did you get an answer from Roger on this yet?

From: Greden, Leigh
Sent: Tuesday, November 25, 2008 4:42 PM
To: Fraser, Roger; Dempkowski, Angela A
Subject: Council Agendas for 1/5 and 1/20

What major items are currently scheduled for the 1/5 and 1/20 Council agendas? Thanks.

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:11 PM
To: Miller, Jayne
Subject: could you turn off the lights over the council desk please.

Elias, Abigail

From: McCormick, Sue
Sent: Monday, December 08, 2008 7:14 PM
To: Greden, Leigh; Weinert, Bryan C
Cc: Teall, Margie
Subject: RE: Recycling

Hi Leigh,

Staff is undergoing a thorough review of our current status and projections since we are in the budgeting process, but from a first look, even though we have traditionally budgeted revenues from sale of recycled materials very conservatively because of the market fluctuations, we are still behind our projections this year. We are not, however, in trouble from a budget standpoint, because we are also significantly lower on expenditures when compared to budget. The real bottom line is that we may not return as much to fund balance as we otherwise might have.

Sue

From: Greden, Leigh
Sent: Mon 12/8/2008 7:05 PM
To: McCormick, Sue; Weinert, Bryan C
Cc: Teall, Margie
Subject: Recycling

NY TIMES front page, and NBC NEWS, both report that prices for the sale of recycled goods have plummeted. Is our Solid Waste recycling revenue budget in trouble?

Elias, Abigail

Subject: Commercial Recycling Follow-up Meeting on Proposed Ordinance Changes
Location: ConfRoom - Council Chambers

Start: Thu 12/18/2008 7:30 AM
End: Thu 12/18/2008 9:00 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Weinert, Bryan C
Required Attendees: Weinert, Bryan C; Artley, Tracy; Steve Bean; Wendi Felgner; maggie ladd; Douglas G. McClure; Rachel Murphy (E-Business); kpedersen@unibarinc.com; Susan Pollay; Nancy Rucker; David Stead; 'jayuzoigwe@google.com'; John Teeter; Kyle V. Mazurek; Jim Frey (E-mail); nchardoul@recycle.com; 'Anna Collinson'; Naud, Matthew; McMurtrie, Thomas; Stone, Nancy Y; Teall, Margie

Greetings! The purpose of this meeting will be to review the proposed solid waste ordinance changes as they relate to the commercial waste franchise and recycling requirements. This review will also include proposed planning/siting issues for recycling containers. A draft set of documents will be sent to you no later than next week Monday (December 15) for your advance review.

Thanks.

P.S. Parking passes will again be available in front of City Hall from 7:15-7:30 a.m.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:20 PM
To: Higgins, Marcia
Subject: Community Collaborative

Jeff said they're doing stuff. Sabra insisted it didn't exist anymore...

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:20 PM
To: McCormick, Sue; Weinert, Bryan C
Cc: Teall, Margie
Subject: RE: Recycling

Good news (in total). Thx for the update.

From: McCormick, Sue
Sent: Monday, December 08, 2008 7:14 PM
To: Greden, Leigh; Weinert, Bryan C
Cc: Teall, Margie
Subject: RE: Recycling

Hi Leigh,

Staff is undergoing a thorough review of our current status and projections since we are in the budgeting process, but from a first look, even though we have traditionally budgeted revenues from sale of recycled materials very conservatively because of the market fluctuations, we are still behind our projections this year. We are not, however, in trouble from a budget standpoint, because we are also significantly lower on expenditures when compared to budget. The real bottom line is that we may not return as much to fund balance as we otherwise might have.

Sue

From: Greden, Leigh
Sent: Mon 12/8/2008 7:05 PM
To: McCormick, Sue; Weinert, Bryan C
Cc: Teall, Margie
Subject: Recycling

NY TIMES front page, and NBC NEWS, both report that prices for the sale of recycled goods have plummeted. Is our Solid Waste recycling revenue budget in trouble?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:21 PM
To: 'Andy.LaBarre@mail.house.gov'
Cc: Teall, Margie
Subject: Mtng with me and Margie

Hi Andy-

Margie and I would like to meet with you before Christmas to talk about our Police/Cts bldg. We want to make sure we're on the radar for any green/public infrastructure money that could come, as well as any general earmarks that may be available. We'd like to give you an update and find out the scoop on possible funding. Would that work? Thx.

LRG

PS- I think I owe you a call from last week...

Elias, Abigail

From: Teall, Margie
Sent: Monday, December 08, 2008 7:28 PM
To: Greden, Leigh
Cc: Crawford, Tom
Subject: RE: Pre-Fire mtng

This week I am pretty flexible too. Thursday lunch? Breakfast? Friday morning before 10:00, or after 11:30? Wednesday after Partnerships?...

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:05 PM
To: Teall, Margie
Cc: Crawford, Tom
Subject: Pre-Fire mtng

M- Tom wants to meet with just you and me sometime before the 12/15 Fire mtng. I'm pretty flexible this week. What is your availability?

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:29 PM
To: Greden, Leigh
Subject: RE: Community Collaborative

Let's clarify this with Jeff.

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:20 PM
To: Higgins, Marcia
Subject: Community Collaborative

Jeff said they're doing stuff. Sabra insisted it didn't exist anymore...

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:30 PM
To: Crawford, Tom
Subject: 12/15 Budget Meeting

Are we having a budget meeting on Monday 12/15? What are the topics?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:33 PM
To: Teall, Margie
Subject: Housing map

Look at that map. The spot I want is just one block north of the Courthouse spot. A mere one block.

Elias, Abigail

From: McCormick, Sue
Sent: Monday, December 08, 2008 7:33 PM
To: Greden, Leigh; Fraser, Roger
Subject: RE: Sidewalk appeal on Edgewood

This was supposed to have gone out Friday before last. I'll check tomorrow.

From: Greden, Leigh
Sent: Mon 12/8/2008 11:55 AM
To: Fraser, Roger; McCormick, Sue
Subject: Sidewalk appeal on Edgewood

Just following up on the Edgewood sidewalk re-building issue. Roger granted the appeals for the two properties on Edgewood that have "sidewalks to nowhere." The residents have not received anything in writing confirming the appeal.

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:34 PM
To: Greden, Leigh
Subject: FW: my notes on the Council Rules
Attachments: RuleComments120808.doc

here's a taste of how that meeting went?

From: Briere, Sabra
Sent: Monday, December 08, 2008 4:31 PM
To: Higgins, Marcia; Derezinski, Tony
Subject: my notes on the Council Rules

Dear Marcia and Tony,

I've attached my notes on the Council Rules. I'll have printed copies as well -- and I'm sorry not to have gotten these to you earlier, but I just finished them about 1/2 hour ago.

I hate to be so slow.

I'm looking forward to your insight into the rules.

*Sabra Briere
First Ward Councilmember
(734)995-3518
(734)484-3600 x 237 (work)*

Comments on Council Rules - December 8, 2008

Definitions

There is no section on definitions, but several terms are used in the Council Rules that are undefined. For instance, 'Chair' is used to describe the officiating officer - who may be the Mayor, Mayor Pro-Tem, or Acting Mayor. However, this role is never defined in the document.

For that matter, 'working committee of the Council' is referred to in several places. However, I have been unable to confirm that such a committee really exists. If this means a committee of the whole, that is, the entire Council, then it should be so defined. Otherwise, reference should be eliminated from the document.

To clear up any possible quibble or confusion, include a section on definition of terms.

Rule 3 - Agenda

Rule 3B ("Approval of the Draft Agenda") says "Council members may add items to the agenda at any time." Rule 3C (Categories - Approval of the Agenda) says "Matters not on the published agenda may be added at the time of approval of the agenda with the consent of $\frac{3}{4}$ of the members present."

These rules are not internally consistent. I think Rule 3C should be clarified by adding "and not added by Council members" to this sentence, so that it reads "Matters not on the published agenda, and not added by Council members, may be added at the time of the approval of the agenda with the consent of $\frac{3}{4}$ of the members present". This change will make it obvious that the right of Council members to add an item to the agenda at the time of its approval is absolute, and not limited by the $\frac{3}{4}$ requirement.

Rule 4 - Addressing Council During Meetings

"Public Speaking at Meetings" includes: "If speakers have materials they wish to hand out, they must signal to the clerk who will come forward to the speaker and hand them out." This procedure is not followed now. Instead, the speaker comes to the clerk. I think we should adjust the rule so that it

conforms to what we do. It should read: "If speakers have materials they wish to hand out, they must give the materials to the clerk, who will hand them out."

"Disorderly Conduct at Meetings" contains two provisions that go beyond what the Open Meetings Act allows:

"The Chair may call to order any person who engages in personal attacks, (which are unrelated to Council Business)..." is too restrictive of a citizen's right to address Council. Michigan Attorney General Opinion 5332 (July 13, 1978) makes it clear that a public body may adopt a rule prohibiting a "personal attack" on an officer, employee or governing board member only if the criticism is totally unrelated to the manner in which the officer, employee, or board member performs his or her duties. Also, in the federal case of *Gault v City of Battle Creek* (July 12, 1999), the district court said that rules could only prohibit personal attacks when they were not of "public concern".

Therefore it would be better to amend the rule to say "The Chair may call to order any person who engages in personal attacks which are unrelated to any public concern." Otherwise, it could be said that the present rule prohibits personal attacks that are unrelated to matters on Council's agenda for the particular meeting.

The last paragraph of the "Disorderly Conduct" section says that further restrictions "including forfeiture of their right to speak or right to attend future Council meetings" may be imposed. It also says that "Such actions . . . shall be consistent with the Michigan Open Meeting Act." However, the Open Meetings Act does not give Council the authority to forfeit anyone's right to speak or right to attend future Council meetings. Michigan Compiled Laws Section 15.263(6) says: "A person shall not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting."

So the "forfeiture" clause should be deleted from this last paragraph.

Rule 13 - Ordinances, How Introduced - has two problems:

1. The rule says "Proposed ordinances shall be introduced by one or more individual members of Council." It does not set forth any other way of introducing ordinances. However, our agendas contain many ordinances (including rezoning ordinances) that are introduced by staff, not Council members. It could be said that under the current rule, an ordinance, introduced by staff and ultimately adopted, had not been legally adopted because it had not been introduced by a Council member. To avoid this difficulty, and conform the rule to our current practice, I think this sentence should be deleted.
2. The rule also says "Ordinances shall be reported back to the working committee of the Council." This committee does not exist. Thus, that sentence should also be deleted.

The remainder of Rule 13 should be retitled as "Ordinances, Referral Process" and should only say: "Proposed ordinances may be referred to any or all of the following: the city Attorney, the City Administrator, appropriate agencies, and Council committees, for study and recommendation."

Rule 14 - Demise of Ordinances and Resolutions

I see no need for this rule. I think it should be deleted altogether. We should keep our options open, and not be governed by rigid time limits.

Rule 15 - Committees and Officers Must Report

This rule is not followed now, and I don't feel that we should mandate quick reports. In addition, this rule refers to the nonexistent working committee. This rule should be deleted entirely.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:37 PM
To: Higgins, Marcia
Subject: RE: my notes on the Council Rules

Jesus, why didn't David just attend the meeting in her place? She could've stayed home and spent the time knitting.

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:34 PM
To: Greden, Leigh
Subject: FW: my notes on the Council Rules

here's a taste of how that meeting went?

From: Briere, Sabra
Sent: Monday, December 08, 2008 4:31 PM
To: Higgins, Marcia; Derezinski, Tony
Subject: my notes on the Council Rules

Dear Marcia and Tony,

I've attached my notes on the Council Rules. I'll have printed copies as well -- and I'm sorry not to have gotten these to you earlier, but I just finished them about 1/2 hour ago.

I hate to be so slow.

I'm looking forward to your insight into the rules.

Sabra Briere
First Ward Councilmember
(734)995-3518
(734)484-3600 x 237 (work)

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:41 PM
To: Teall, Margie
Cc: Higgins, Marcia
Subject: RE: Housing map

HA! Too bad we don't have any vacant land. How about the park on Greenview??

From: Teall, Margie
Sent: Monday, December 08, 2008 7:37 PM
To: Greden, Leigh
Cc: Higgins, Marcia
Subject: RE: Housing map

Marcia and I think there's a site out on Gladstone that would be perfect

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:33 PM
To: Teall, Margie
Subject: Housing map

Look at that map. The spot I want is just one block north of the Courthouse spot. A mere one block.

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:43 PM
To: Greden, Leigh; Teall, Margie
Subject: RE: Housing map

A stick building could be erected over existing buildings and on street parking would be very beneficial.

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:41 PM
To: Teall, Margie
Cc: Higgins, Marcia
Subject: RE: Housing map

HA! Too bad we don't have any vacant land. How about the park on Greenview??

From: Teall, Margie
Sent: Monday, December 08, 2008 7:37 PM
To: Greden, Leigh
Cc: Higgins, Marcia
Subject: RE: Housing map

Marcia and I think there's a site out on Gladstone that would be perfect

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:33 PM
To: Teall, Margie
Subject: Housing map

Look at that map. The spot I want is just one block north of the Courthouse spot. A mere one block.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:50 PM
To: Taylor, Christopher (Council)
Subject: Latest draft

Thoughts? Feel free to add your name in any way, per our discussion:

Dear 3rd Ward Resident-

Thank you for writing about the proposed re-zoning of the South University area as part of the A2D2 process. The City Council is not scheduled to consider this matter for several months. In reviewing this issue, I subscribe to several underlying goals/principles related to downtown development and its application in Ann Arbor:

1. Downtown development is good for the environment. National environmental organizations, including the Sierra Club and the Natural Resources Defense Council, support downtown density to decrease suburban sprawl and increase efficient utilization of public infrastructure. I attach for your review comments provided by the Michigan Environmental Council supporting Ann Arbor's plans to increase downtown density.
2. Downtown development helps locally owned shops. I attach an article from the *Ann Arbor News* summarizing comments the City Council received from locally-owned merchants in 2006. I also attach a report from Living Economy Network, a local group that promotes locally-owned businesses - the types of shops that make Ann Arbor unique and that help grow our local economy. Unfortunately, they are a dying breed. Studies consistently show that downtown residents and downtown office workers spend more money at downtown locally-owned shops than any other consumer. We need more downtown residents and workers if we want these unique local shops to thrive.
3. Downtown development is good for the economy. Ann Arbor will feel fewer of the effects of the nationwide recession, and we will come out of the recession sooner than most other Michigan communities. Indeed, our unemployment rate remains the lowest in the State of Michigan and is lower than the nationwide rate. We must embrace our role as an engine of economic growth in Michigan. A group of business and non-profit leaders met recently to develop ideas for Ann Arbor's long-term future, and one of the ideas on which they agreed was the need to encourage new development in the urban core (i.e., downtown Ann Arbor) to attract jobs and residents.
4. The South University area is adjacent to single-family residential neighborhoods.

Considering these underlying goals/principles, the many comments I have received the last three years regarding this process, and the A2D2 proposals, I have reached three basic conclusions:

1. Although South University is part of the City's downtown, D1 zoning is simply too much for the area because of its close proximity to single-family neighborhoods. D1 zoning would conflict with principle #4 (above). Indeed, the Calthorpe report -- as well as common sense -- calls for sensitivity to surrounding single-family neighborhoods.

2. D2 zoning does not achieve the goals/principles outlined in #1, #2, and #3 (above). It's simply too restrictive and does not do enough to bring new residents and businesses to the area that are needed to ensure its long-term vitality. Accordingly, the South University area should be zoned somewhere between D1 and D2.

3. We need to enact an overall citywide height limit to ensure that all these principles remain in balance. Otherwise, developers can take advantage of Floor-Area Ratios (FAR) by gobbling up lots of land and constructing new buildings that do not achieve the required balance. I sponsored legislation that was passed by the City Council in the summer of 2008 directing the A2D2 planning groups to work on this issue, and I will see it through to completion when the final zoning changes come before City Council.

Thank you again for your comments on this important issue. Please continue to share your comments as the A2D2 process continues and the Council begins consideration of these important matters next year.

-Leigh Greden, Member of City Council



Calthorpe- MEC
comments.pdf



AA News article
Retail work se...



Calthorpe- Living
Economy Netw...

To: Ann Arbor Downtown Development Authority
From: Ben Stupka, Land Programs Policy Specialist, Michigan Environmental Council
Memo: Public Comments on the "Recommended Policy Framework for Downtown Ann Arbor"
Date: January 26, 2006

Good evening, my name is Ben Stupka and I am the Land Programs Policy Specialist at the Michigan Environmental Council. I am here tonight to offer some brief comments on the "Recommended Policy Framework for Downtown Ann Arbor" produced by Calthorpe and Associates and Strategic Economics for the Downtown Development Strategies Project.

By way of introduction the Michigan Environmental Council is a 501c(3) non-profit organization formed in 1980 to provide a voice for Michigan's environment at the state capital. We currently have over 70 member groups. Included among them are the Ecology Center, the Michigan Chapter of the League of Conservation Voters and the Michigan Nurses Association. We represent these groups in policy debates in Lansing as well as supporting them in their efforts to build a stronger environmental ethic throughout the state.

One of the main issues that we deal with is broadly titled "land use" and can be defined as working to amend the current practices of the state and local governments that encourage development in the large-lot, land consumptive, resource intensive and auto-dependent paradigm often referred to as "urban sprawl". Through this work we have time and again advocated for "Smart Growth" principles that do not seek to stop development, but rather encourage it to take place with high premiums placed on the use of existing infrastructure, transportation options and the protection of natural resources.

It is our feeling that the plan proffered by Calthorpe and Associates creates the optimum amount of zoning flexibility to increase the inclusion of mixed use developments, affordable housing and both motorized and non-motorized transportation options in downtown Ann Arbor. It is our opinion that these features are absolutely crucial when planning to capture the economic development possibilities of a growing population. Furthermore in a time when the predominant land development model is the large-lot sprawl paradigm this plan creates an appropriate amount of urban density to help curb sprawl and protect our family farms and natural resources.

When MEC considers a development plan we look for some key Smart Growth features before proceeding forward with an endorsement of said plan. Among these key features are context-appropriate increases in density, mixed-use options that increase residents' connection to commercial and retail centers, and pedestrian scale amenities like safer crosswalks and beautiful storefronts.

There are a few policy recommendations included in the plan that I would like to comment on specifically:

1) Concentrating high-density mixed-use residential and commercial development in the central Downtown and encouraging medium-density residential and mixed use development between the central Downtown and the surrounding, historic single-family neighborhoods.

This is an absolutely critical recommendation and adjusting zoning ordinances to allow for higher mixed-use density is crucial to building a vibrant downtown center. A high density downtown can bring a myriad of different benefits to a community.

High Density Developments

- Lessen the burden on public infrastructure (sewers, waterworks and roads)
- Aide in protecting natural resources, lessening air pollution and water pollution
- Promote a healthy, active lifestyle
- Closely connect people with social, cultural and economic resources
- Eliminate traffic congestion and lessens commute times
- Increase commercial business foot-traffic

I would like to offer a small point of caution. The density called for in this plan is very high and that is not including density bonuses. A plan of this nature should ensure that increased density is appropriately located and within the design and community characteristics that have made Ann Arbor the unique city it is today.

2) Working to lower the development costs in the Downtown

Something to remember here is that bringing development to existing areas is the number one way to curb urban sprawl. However, as we all know development in existing urban area costs a lot more than "setting up shop" in a former farm field. The plan suggests several incentives to bring development downtown while preserving the amazing natural resources of the Huron Valley.

Expediting the development review and permitting process if the development meets the criteria laid out in the Structural Plan and Design Guidelines is a very effective and easy way to encourage development downtown. Density bonuses, especially when coupled with an effective Transfer of Development Rights program and affordable housing goals should seek to provide a very controlled framework for developers to work within. Also, encouraging developers to use "green building" is a great way to limit the environmental footprint of a new development or redevelopment project.

3) Encouraging a diversity of new housing opportunities in the Downtown

There are so many signs that point to the idea that living in a high-density, pedestrian-friendly community is the going to be the popular housing choice of the future. Among these is the rising age of baby-boomers that want to have easy access to social and cultural amenities. There is the so-called "creative class". People between the ages of 25-34 that prefer to live in area with a high concentration of job opportunities, transportation options and cultural accessibility. There is rising cost of fuel, which will inevitably force people into an economic decision about how far they can commute to work and shop.

A study by the Brookings Institute showed that; "From 1970 to 2000, the number of downtown households in 44 selected cities increased 8 percent—13 percent in the 1990s alone—and their composition shifted. Households grew faster than population in downtowns, reflecting the proliferation of smaller households of singles, unrelated individuals living together, and childless married couples."¹

The best way to ensure for these demographic possibilities and many more is to provide a large range of housing opportunities in a vibrant downtown area. This includes condominiums, high-rise apartments, historic single family homes, "granny" flats and several other possibilities. Another advantage of varied housing options is that it creates a social framework that allows for the integration of people of several different economic and social classes. It also increases the foot traffic and connection to local businesses that can really drive the economic development of a community.

4) Developing storm-water retention and detention for the Downtown and encouraging "new" public spaces

These are two different recommendations, and I grouped them for a reason. New public spaces should be integrated with stormwater retention and detention areas. A few examples of this being done successfully are the Tollgate Wetlands in Lansing and the raingarden on the roof of Chicago's City Hall. These projects can be designed to effectively manage stormwater and provide a beautiful and functional setting for a pedestrian friendly community, they also provide cost savings. The Ingham County Drain Commissioner estimates that the county saved \$14 million to \$17 million by treating it (stormwater) naturally (in the Tollgate project) instead of the traditional piping method.²

Both of these goals need to include the replanting of trees in place of the over 10,000 Ash trees that are being removed because of the Emerald Ash Borer and not other urban design ideas like the plan suggests. A study by the Chicago Urban Forest Climate Projects states that; "Increasing tree cover 10% or planting about three trees per building lot saves annual heating and cooling costs by an estimated 50 to 90 per dwelling unit because of increased shade, lower summertime air temperatures, and reduced neighborhood wind speeds once the trees mature."³

5) Improving transit service within the Downtown and improving bicycle access to the Downtown

Increasing viable transportation options is essential to any downtown development plan. I would encourage the policy recommendations to go beyond ensuring the improvement of access to other modes of transportation and focus development around transit oriented "hub" urban design. Commonly called Transit Oriented Development this allows communities to plan and zone for appropriate density, use and walkability with ½ mile of a transit stop to take full advantage of the economic activity that can be generated in those areas.

With the current rapid transit planning effort taking place on the Ann Arbor-Detroit Corridor TOD is going to be an important for a community to be fully prepared for the opportunity that effective rapid transit can bring. Also, a more transit friendly community design can pass significant savings along to residents. For example, a typical family of four might need two vehicles each driven 15,000 miles per year if they live in an automobile dependent suburb, with annual transportation costs of \$10,000. But if they live in a more accessible location they might need just one vehicle driven 10,000 miles per year, reducing their direct annual vehicle expenses to just \$4,000, and reducing their residential parking requirements.⁴

I have two points of caution that I would like to mention before closing my remarks:

First, if any plan is approved make sure that increased density is allowed for in appropriate areas and does not sacrifice the unique character that makes Ann Arbor the coolest city in Michigan.

Second, and this is much in the same vein as my previous point, allow for some flexibility in the definition of that unique character. Too many times people hold on so tightly to a static vision of what should and what should not be that they miss the bigger picture. The bigger picture is that development in downtown Ann Arbor is a good thing and it should be planned for and encouraged. If it is planned for poorly and discouraged then the large-lots that currently dot our once rolling rural countryside will continue to be the choice-de-jour for developers.

In closing I urge you not to let this opportunity pass you by. The rest of the state counts on Ann Arbor to lead the way in almost any new endeavor. The process used by Calthorpe and Associates to cull the public opinions of the citizens of Ann Arbor and synthesize them into recommendations should be commended. I hope to attend several more meetings like this in communities throughout Michigan, where a similar process is so badly needed.

Thank you for your time.

¹ The Brookings Institution Center on Urban and Metropolitan Policy and the Fannie Mae Foundation, "Rise in Downtown Living", November 1998

² U.S. EPA "Non Point News and Notes" Issue 59, November 1999

³ McPherson, E. Gregory et al., *Quantifying urban forest structure, function, and value: the Chicago Urban Forest Climate Project*, Urban Ecosystems, Volume 1 Number 1, March 1997

⁴ Victoria Transportation Institute, *Location Efficient Development and Mortgages: Taking Advantage of Consumer and Transportation Benefits at Accessible Locations*, December 14, 2005

Council hears retailers' concerns

Downtown development strategies needed, merchants say

Tuesday, April 11, 2006

BY STEFANIE MURRAY

News Business Reporter

Although Ann Arbor's four downtown areas are distinct from one another, their merchants came together Monday to tell City Council about their shared heartaches: density and parking.

During an evening working session, the council heard from representatives of Main Street Area Association, State Street Area Association, Kerrytown District Association and South University Area Association about challenges facing their member businesses.

Some association officials said it was the first time they can remember in at least 10 years when such a public meeting took place. It follows a recent string of businesses closing downtown, such as longtime shops Ehnis & Sons and After Words, and a dismal holiday shopping season.

Debates about parking and density - which retailers used mainly to mean more people living downtown - are nothing new.

"People tend to shop where they work and live," said Richard Bellas, managing partner for Van Boven Shoes in the Nickels Arcade, located in the South State Street area.

"Parking will always be a problem ... (but) the only thing that cures that is feet," he later added.

Merchants said they were happy with the several planned mixed-used residential and commercial complexes springing up downtown but urged the council to go further and continue to implement ideas from recent studies like the Calthorpe Associates' report, which suggested downtown development strategies.

Some also said they expect density to cultivate diversity, which they thought would help unique, small businesses survive and thrive downtown.

"I say listen to your experts," said Caroline Kaganov, general manager of Conor O'Neill's Irish Pub & Restaurant on Main Street. "Don't listen to the people who scream the loudest - listen to the people who make the most sense."

Bellas pointed out how the numerous strip malls, downtown redevelopments in nearby towns like Chelsea and lifestyle shopping centers, such as Green Oak Village Place under construction at US-23 and Lee Road, are also affecting downtown Ann Arbor retailers.

If Ann Arbor doesn't compete for new business and make new developments easier, they'll continue to be built outside the downtown, he said.

Many merchants have previously said the recent holiday shopping season was quite slow and that foot traffic and sales are still down. All are issues that many downtowns around Michigan are facing, too.

The most recent report from the Michigan Retailers Association found that in February, 45 percent of statewide retailers surveyed said their sales decreased that month, compared to 36 percent who said sales were up.

In addition to more parking downtown, some retailers like Mary Campbell, owner of Everyday Wines and Everyday Cook in Kerrytown Market & Shops, suggested more lenient ticketing.

She said she regularly has customers who fret over running out to feed their parking meters instead of enjoying their time shopping. Campbell suggested attended parking lots or programs that would set aside certain hours of the day when parking would be free.

Other points merchants and association officials made included:

- Rents for commercial space downtown have been on the rise, which has put a strain on some businesses.
- Signs downtown needs to be improved, such as signs pointing visitors to parking garages.
- Downtown Ann Arbor needs a comprehensive marketing plan to shop itself to not only the region, but to local residents, too.

Contact Stefanie Murray at smurray@annarbornews.com or 734-994-6932.

Living Economy Network

Response to the Calthorpe Report

We are in agreement with much of the Calthorpe report. However, we have some concerns that while many of the recommendations will be helpful to downtown overall, several recommendations need to be strengthened or changed to make sure our small locally-owned businesses don't continue to close and be replaced by chains, as has been a strong trend in recent years.

We see the discussion and planning that is ensuing as a result of the Calthorpe report process as a great opportunity to create the kind of community that people love to live in, and to visit. A community where people go downtown to do things that they can't do anywhere else and visit businesses they can't find elsewhere. This downtown would contain community-gathering places and arts spaces, and unique owner-operated businesses. And of course, it would have places to buy basic goods so that residents and visitors don't have to leave downtown to buy necessities. Practically, these things are more likely to happen with a healthy and multi-income residential base that will only come from increased development and density.

ZONING

First, as the report stresses, we absolutely need to update and streamline our zoning ordinances and project approval processes. Our businesses have horror stories of the problems resulting from having to get approval for every step of a construction process, and having different departments have contradictory requirements. When zoning ordinances seems designed to limit redevelopment of any type, the businesses that suffer the most are the small, locally-owned businesses and developers. This is one of the most important actions that could happen as a result of this report - a streamlined, FAST approval process for all development that gives special benefits to the types of development we do want to see.

PROACTIVE RECRUITMENT

Second, we need to have ways to proactively encourage and recruit the types of businesses that we do want to develop and occupy downtown. The Calthorpe report recommends a retail master plan, which we support with one caveat. This retail master plan must not be based on a one-size fits all method of economic development - what may have worked in other dissimilar cities will not necessarily work here, nor would it benefit us to be a clone of other cities. We need to do some more market research to find out what would attract existing shoppers to spend more time and money downtown, and potential likely shoppers to visit more often.

WHY LOCALLY-OWNED INDEPENDENT BUSINESSES?

We agree with the report's suggested policy goal of "Increasing the capacity of existing businesses in the Downtown to ensure that businesses can remain viable and take advantage

of opportunities for future growth". However, we note that it is important to FIRST exhaust our supply of good locally-owned businesses for needed retail stores such as additional grocery stores, office supply stores, and drugstores, before approaching non-local businesses.

The reason to do this is that locally-owned businesses provide many benefits - economic, social, and community, that are provided to a much lesser extent by chain retailers. Numerous economic impact studies across the nation have shown that locally-owned independent businesses provide more than twice the economic benefit to the local community because they patronize other local businesses and farms, carry locally-made items, hire local staff at good wages, and support local nonprofits.

Local businesses also give us a sense of place and allow us a chance to form connections with others in our community - key aspects of a successful downtown. One reason that Sculpture plaza is a successful public place while Liberty plaza is less so, is because of the presence of a community-oriented and owned grocery shop and café right next door.

DEVELOP SPECIFIC POLICIES TO ENCOURAGE LOCAL OWNERSHIP

Third, we believe that additional emphasis needs to be placed on making sure locally-owned businesses can compete fairly in the high-rent environment downtown. Almost all of the retail space within new buildings has been filled by chains and franchises willing to pay high lease rates, and often recruited by the building developers. This is *not* a reason not to build new buildings - we need a larger residential base that will only come from increased development and density. However, it *is* a reason to make very sure that there are measures in place to specifically encourage local ownership of businesses. We need to offer strong incentives to building owners and developers to lease or sell their space to independent business owners - ownership of downtown space is a key, but often overlooked aspect to ensuring the viability of independent businesses. Many of our distinctive, successful businesses would not be downtown right now if they did not own their buildings downtown, given current lease rates. Without progressive and pro-active action, the vast majority of new businesses downtown will continue to be chain restaurants - something almost everyone agrees that we do not need more of in downtown.

Though the Calthorpe Report notes that the lack of national chain retailers has not negatively impacted existing retailers, the report then recommends recruiting chains to downtown. We do not agree with this recommendation, unless it can be proven that a chain business can provide economic benefits that will 'make up' for the economic and community losses that will result, AND it can offer something that will truly complement locally-owned businesses. We do agree that, as Calthorpe states, "The downtown should look to... compete on the basis of its distinct shopping districts, sense of place, and inimitable cultural and entertainment scene."

The good news is that there are several ways that other communities have found to support locally-owned businesses:

- ◆ The first is a "Community benefits agreement", which Calthorpe notes on Page 37, in which a developer or large business agree to provide certain benefits in exchange for being able to locate in a certain area. In addition, many communities, such as Carbondale, Colorado, and Greenfield, Massachusetts, require that developments of a certain type undergo economic and community impact reviews to make sure they will not negatively impact the community. This has to be limited to very few developments, however, to make sure that it is not an unnecessary impediment to increasing density.
- ◆ A second option is capping the number of "Formula business" - a business that is required to look or operate like other branches in the country. This would be particularly appropriate for those downtown areas, like the Kerrytown district, that are known for their distinctive businesses. This has been done in San Francisco, where neighborhood ordinances allow for varying degrees of regulation in each neighborhood.
- ◆ A third option is to give local purchasing preferences to locally-owned businesses. Columbus, Ohio and the State of Wyoming are two of many places that have enacted local purchasing preferences.
- ◆ A fourth innovative way that several communities have addressed the lack of a store offering needed necessities - office supplies is a prime example in our community - is to create a community-owned store or cooperative.
- ◆ A fifth public policy is having what is called a "Neighborhood-serving retail agreement" - Palm Beach, Florida required that new retail stores demonstrate that a majority of their sales will be derived from the surrounding neighborhood.
- ◆ Finally, as mentioned above, the simplest way to support independent businesses is by offering strong incentives or requirements for local ownership of retail space.

The policies and options I've just mentioned might or might not work for our particular area, but give you an idea of what other cities have done to strengthen their locally-owned businesses, and the kind of out-of-the-box thinking that we need to do here. Living Economy Network and our member businesses would be willing to provide more information and feedback if it would be helpful.

We urge the DDA, Planning Commission, and Council to take this opportunity to be visionary. We *could* be a downtown where people visit to admire the abundance of green buildings, where a healthy and vibrant civic and arts space is well-used by the community, and a place where interesting, community-oriented businesses thrive. Or we could follow somebody else's formula, and slowly become more like other cities, loosing our distinctiveness and vibrance as a result. Now is a wonderful time to think big - to create a forward-thinking city that will set the standard for other cities.

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:51 PM
To: Higgins, Marcia; Teall, Margie
Subject: RE: Housing map

I nominate Kevin McDonald's house.

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:43 PM
To: Greden, Leigh; Teall, Margie
Subject: RE: Housing map

A stick building could be erected over existing buildings and on street parking would be very beneficial.

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:41 PM
To: Teall, Margie
Cc: Higgins, Marcia
Subject: RE: Housing map

HA! Too bad we don't have any vacant land. How about the park on Greenview??

From: Teall, Margie
Sent: Monday, December 08, 2008 7:37 PM
To: Greden, Leigh
Cc: Higgins, Marcia
Subject: RE: Housing map

Marcia and I think there's a site out on Gladstone that would be perfect

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:33 PM
To: Teall, Margie
Subject: Housing map

Look at that map. The spot I want is just one block north of the Courthouse spot. A mere one block.

Elias, Abigail

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Who is Kevin's father and where does he live?

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From: Greden, Leigh
Sent: Monday, December 08, 2008 7:55 PM
To: Higgins, Marcia
Subject: RE: Housing map

Kevin lives down the street from me. Fred McDonald is his dad. Lives someplace in town; west side I think?

From: Higgins, Marcia
Sent: Monday, December 08, 2008 7:53 PM
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Subject: RE: Housing map

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Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 8:03 PM
To: Miller, Jayne
Subject: Services

Hi Jayne,

It has been said repeatedly that we want this downtown because that where are the services are? What services are provided downtown? I'm not talking about the services that we provide onsite, Trying to get my arms around this statement.

Thanks,
Marcia

Elias, Abigail

From: Higgins, Marcia
Sent: Monday, December 08, 2008 8:06 PM
To: Crawford, Tom
Subject: Budget

Parking structure bonds. I was under the impression that there was some concern from you regarding the DDA's fiscal status. Talk to me Tom.

Elias, Abigail

From: Teall, Margie
Sent: Monday, December 08, 2008 8:25 PM
To: Teall, Margie; Greden, Leigh
Cc: Crawford, Tom
Subject: RE: Pre-Fire mtng

Actually, Thursday I won't be available until about 12:30...

From: Teall, Margie
Sent: Monday, December 08, 2008 7:28 PM
To: Greden, Leigh
Cc: Crawford, Tom
Subject: RE: Pre-Fire mtng

This week I am pretty flexible too. Thursday lunch? Breakfast? Friday morning before 10:00, or after 11:30? Wednesday after Partnerships?....

From: Greden, Leigh
Sent: Monday, December 08, 2008 7:05 PM
To: Teall, Margie
Cc: Crawford, Tom
Subject: Pre-Fire mtng

M- Tom wants to meet with just you and me sometime before the 12/15 Fire mtng. I'm pretty flexible this week. What is your availability?

Elias, Abigail

From: Greden, Leigh
Sent: Monday, December 08, 2008 8:34 PM
To: Beaudry, Jacqueline; Bowden (King), Anissa
Subject: Working Session Agenda

It says there's public comment at the end. No Public Comment at the end of Work Sessions. Pls delete that from future Work session agendas.

Elias, Abigail

From: Crawford, Tom
Sent: Monday, December 08, 2008 8:53 PM
To: Teall, Margie
Cc: Teall, Margie; Greden, Leigh
Subject: Re: Pre-Fire mtng

Would we'd @ 1 work? I've got lunch with auditor till then.

Thanks,
Tom Crawford

On Dec 8, 2008, at 8:25 PM, "Teall, Margie" <MTeall@a2gov.org> wrote:

Actually, Thursday I won't be available until about 12:30...

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Elias, Abigail

From: Taylor, Christopher (Council)
Sent: Monday, December 08, 2008 10:40 PM
To: Greden, Leigh
Subject: RE: Latest draft

Dig it. Comments in [brackets]. If you can stomach the [bracketed] text on #1 Conclusion, you can take out "broadly" from the next [bracketed] text.

Thanks for including me in this, m'friend.

C.

-----Original Message-----

From: Greden, Leigh
Sent: Mon 12/8/2008 7:50 PM
To: Taylor, Christopher (Council)
Subject: Latest draft

Thoughts? Feel free to add your name in any way, per our discussion:

Dear 3rd Ward Resident-

Thank you for writing about the proposed re-zoning of the South University area as part of the A2D2 process. The City Council is not scheduled to consider this matter for several months. In reviewing this issue, I subscribe to several underlying goals/principles related to downtown development and its application in Ann Arbor:

1. Downtown development is good for the environment. National environmental organizations, including the Sierra Club and the Natural Resources Defense Council, support downtown density to decrease suburban sprawl and increase efficient utilization of public infrastructure. I attach for your review comments provided by the Michigan Environmental Council supporting Ann Arbor's plans to increase downtown density.
2. Downtown development helps locally owned shops. I attach an article from the Ann Arbor News summarizing comments the City Council received from locally-owned merchants in 2006. I also attach a report from Living Economy Network, a local group that promotes locally-owned businesses -- the types of shops that make Ann Arbor unique and that help grow our local economy. Unfortunately, they are a dying breed. Studies consistently show that downtown residents and downtown office workers spend more money at downtown locally-owned shops than any other consumer. We need more downtown residents and workers if we want these unique local shops to thrive.
3. Downtown development is good for the economy. Ann Arbor will feel fewer of the effects of the nationwide recession, and we will come out of the recession sooner than most other Michigan communities. Indeed, our unemployment rate remains the lowest in the State of Michigan and is lower than the nationwide rate. We must embrace our role as an engine of economic growth in Michigan. A group of business and non-profit leaders met recently to develop ideas for Ann Arbor's long-term future, and one of the ideas on which they agreed was the need to encourage new development in the urban core [DELETED TEXT] to attract jobs and residents.
4. The South University area is adjacent to single-family residential neighborhoods.

Considering these underlying goals/principles, the many comments I have received the last three years regarding this process, and the A2D2 proposals, I have reached three basic conclusions:

1. Although South University is [clearly commercial and shares many features] of the City's downtown, D1 zoning is simply too much for the area because of its close proximity to single-family neighborhoods. D1 zoning would conflict with principle #4 (above). Indeed, the Calthorpe report -- as well as common sense -- calls for sensitivity to surrounding single-family neighborhoods.

2. D2 zoning does not achieve the goals/principles outlined in #1, #2, and #3 (above). It's simply too restrictive and does not do enough to bring new residents and businesses to the area that are needed to ensure its long-term vitality. Accordingly, the South University area should be zoned somewhere between D1 and D2.

3. We need to enact an overall citywide height limit to ensure that all these principles remain in balance. Otherwise, developers can take advantage of Floor-Area Ratios (FAR) by gobbling up lots of land and constructing new buildings that do not achieve the required balance. I sponsored legislation that was passed by the City Council in the summer of 2008 directing the A2D2 planning groups to work on this issue, and I will see it through to completion when the final zoning changes come before City Council.

[I am pleased to report that Councilmember Taylor [broadly] shares these conclusions. We intend to work together with neighbors and other stakeholders to arrive at a unified, Third Ward position that will ensure South U's vitality in the years to come.] Thank you again for your comments on this important issue. Please continue to share your [thoughts] as the A2D2 process continues and the Council begins consideration of these important matters next year[; I look forward to hearing from you.]

-Leigh Greden, Member of City Council

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