



City of Ann Arbor

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

Meeting Agenda City Council

Monday, April 5, 2010

7:00 PM

G. C. Larcom, Jr. Municipal Building, 100 N.
Fifth Avenue, 2nd Floor

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [10-0347](#) 4/5/10 Parkinson's Awareness Month proclamation
(Mayor's Office)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS HAVE BEEN MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

1. Joan Doughty - Ann Arbor Housing Commission Board Restructuring (DC-1)
2. Jim Mogensen - Ann Arbor Housing Commission Board Restructuring (DC-1)
3. James D'Amour Communications from Administrator/Budget
4. Deborah Gibson - Ann Arbor Housing Commission Board Restructuring (DC-1)
5. Rita Mitchell - Budget & Fuller Road Station
6. C. Robert Snyder - Proposed Ban on Outdoor Upholstered Furniture

7. Nancy Shiffler - Fuller Road Station

COMMUNICATIONS FROM COUNCIL

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [10-0117](#) An Ordinance to Add a New Section 10:101a to Chapter 126 (Traffic - Restricting Cell Phone Use While Driving) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-07)
(City Attorney Services - Stephen K. Postema)
Sponsors: Rapundalo
(Postponed from 3/15/10 regular session. See B-1)
- PH-2 [10-0104](#) An Ordinance to Amend Chapter 55, Rezoning of 0.84 Acres from R4C (Multiple-Family Residential Dwelling District) and M1 (Limited Industrial District) to PUD (Planned Unit Development District), The Moravian PUD (CPC Recommendation: Approval - 7 Ayes, 1 Nay, 1 Absent) (Ordinance No. OR-10-09) **(8 Votes Required)**
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See B-2)
- PH-3 [10-0236](#) Resolution to Approve The Moravian PUD Site Plan and Development Agreement (CPC Recommendation: Approval - 7 Ayes and 1 Nay)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See DB-1)
- PH-4 [10-0106](#) An Ordinance to Amend Chapter 55, Rezoning of 1.1 Acres from TWP (Township District) to C1 (Local Business District) WITH CONDITIONS, Retail Plaza Property, Northwest corner of Platt and Ellsworth Roads, (CPC Recommendation to C1: Approval - 8 Ayes and 0 Nays) (Ordinance No. ORD-10-10)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See B-3)
- PH-5 [10-0237](#) Resolution to Approve Retail Plaza Planned Project Site Plan, Northwest Corner of Platt and Ellsworth Roads (CPC Recommendation: Approval - 8 Ayes and 0 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See DB-2)

COMMUNICATIONS FROM COUNCIL**A APPROVAL OF COUNCIL MINUTES**

- A-1 [10-0299](#) City Council Working Session of March 8, 2010 and Regular Session of March 15, 2010
(City Clerk Services - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [10-0061](#) Resolution to Approve Agreement Regarding Joint Recreation Programs between the City and Ann Arbor Public Schools
(Community Services - Sumedh Bahl, Interim Area Administrator)
- CA-2 [10-0151](#) Resolution to Approve an Amendment to Professional Services Agreement with Wade Trim, Inc. for Design Engineering Services for the Valhalla Drive Utility Extension Project (\$66,605.40)
(Project Management Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [10-0213](#) Resolution to Approve Housing Rehabilitation Agreement with Mary Connors at 17 Metroview Ct. (\$25,675.00 CDBG Funds)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- CA-4 [10-0259](#) Resolution to Approve Ann Arbor Public Art Commission Bylaws and Guidelines
(Public Services - Sue F. McCormick, Public Services Administrator)

B ORDINANCES - SECOND READING

- B-1 [10-0117](#) An Ordinance to Add a New Section 10:101a to Chapter 126 (Traffic - Restricting Cell Phone Use While Driving) of Title X of the Code of the City of Ann Arbor (Ordinance No. ORD-10-07)
(City Attorney Services - Stephen K. Postema)

Sponsors: Rapundalo

(Revised 2/26/10; Postponed from the 3/15/10 regular session. See PH-1)

- B-2** [10-0104](#) An Ordinance to Amend Chapter 55, Rezoning of 0.84 Acres from R4C (Multiple-Family Residential Dwelling District) and M1 (Limited Industrial District) to PUD (Planned Unit Development District), The Moravian PUD (CPC Recommendation: Approval - 7 Ayes, 1 Nay, 1 Absent) (Ordinance No. OR-10-09) **(8 Votes Required)**
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-2) (8 VOTES REQUIRED)

- B-3** [10-0106](#) An Ordinance to Amend Chapter 55, Rezoning of 1.1 Acres from TWP (Township District) to C1 (Local Business District) WITH CONDITIONS, Retail Plaza Property, Northwest corner of Platt and Ellsworth Roads, (CPC Recommendation to C1: Approval - 8 Ayes and 0 Nays) (Ordinance No. ORD-10-10)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-4)

C ORDINANCES - FIRST READING

None.

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [10-0322](#) Motion for Reconsideration of Adoption of "Resolution to Replace the Ann Arbor Housing Commission Board of Commissioners" - R-10-067 (File No. 10-0262)
Sponsors: Kunselman and Anglin
- DC-2** [10-0340](#) Resolution for Community Events Fund Disbursements from the FY 2010 Budget
(City Council)
Sponsors: Smith and Teall
(Added 4/5/10)
- DC-3** [10-0348](#) Resolution Amending Resolution R-07-465 Regarding Outdoor Sales on Private Property During Football Saturdays
(Community Services - Sumedh Bahl, Interim Area Administrator)
Sponsors: Teall and Higgins
(Added 4/5/10)

DB New Business - Boards and Commissions:

- DB-1 [10-0236](#) Resolution to Approve The Moravian PUD Site Plan and Development Agreement (CPC Recommendation: Approval - 7 Ayes and 1 Nay)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-3)
- DB-2 [10-0237](#) Resolution to Approve Retail Plaza Planned Project Site Plan, Northwest Corner of Platt and Ellsworth Roads (CPC Recommendation: Approval - 8 Ayes and 0 Nays)
(Community Services - Sumedh Bahl, Interim Area Administrator)
(See PH-5)

DS Old Business - Staff:

- DS-1 [10-0187](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-10-07 to Add a New Section 10:101a to Chapter 126, Title X (Traffic) of the Code of the City of Ann Arbor
(City Attorney - Abigail Elias)
(Postponed from the 3/15/10 regular session)

DS New Business - Staff:

- DS-2 [10-0157](#) Resolution to Appropriate Funds and Reimburse FCR LLC for Capital Maintenance at the Materials Recovery Facility (\$116,971.23) **(8 Votes Required)**
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-3 [10-0216](#) ~~Resolution to Approve the Purchase of Eight Police Patrol Cars from Signature Ford (Macomb County Bid \$165,840.00) (Deleted from agenda on 4/5/10)~~
(Fleet & Facilities Services - Sue F. McCormick, Public Services Administrator)
- DS-4 [10-0235](#) Resolution to Approve Street Closings for the 2010 "Taste of Ann Arbor" Special Event - Sunday, June 6, 2010
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DS-5 [10-0234](#) Resolution to Close Streets for the 10th Annual Mayor's Green Fair- Friday, June 11, 2010
(Community Services - Sumedh Bahl, Interim Area Administrator)

- DS-6 [10-0198](#) Resolution to Approve a Contract with D & J Contracting, Inc to Provide Barrier Free Access to Buhr Park Pool and Ice Arena, Bid No. 4069 (\$31,297.00)
(Community Services - Sumedh Bahl, Interim Area Administrator)
- DS-7 [10-0252](#) Resolution to Permanently Relocate Precinct 1-8 from Ann Arbor Open at Mack, 920 Miller Avenue to Skyline High School, 2552 N. Maple Road for all Future City Elections
(City Clerk - Jacqueline Beaudry)
- DS-8 [10-0267](#) Resolution Accepting Easement for Public Utilities from Riverview Land Company, LLC (355 Huron View Blvd.) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-9 [10-0288](#) Resolution to Grant an Easement for Road Right-of-Way at South State Street - adjacent to the Ann Arbor Airport - to the Board of County Road Commissioners of Washtenaw County **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-10 [10-0289](#) Resolution Accepting Easement for Public Right-of-Way from Speedway SuperAmerica LLC (Ellsworth Road adjacent to Ann Arbor Airport) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [10-0263](#) 3/15/10 Nominations and Appointments
(Mayor's Office)
- E-2 10-0352 4/5/10 Appointments & Nominations
(Mayor's Office)
Sponsors: Hieftje

COMMUNICATIONS FROM COUNCIL**F WRITTEN COMMUNICATIONS FROM THE CITY ADMINISTRATOR**

- F-1 [10-0268](#) Housing and Human Services Advisory Board Recommendations for 2011 Human Services Funding
(Community Services - Sumedh Bahl, Interim Area Administrator)

G COMMUNICATIONS FROM THE CITY ATTORNEY

- G-1 [10-0327](#) Council Rule Amendment for Consideration under Council Rule 19
(City Attorney Services - Stephen Postema, City Attorney)

H & I CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS**H The following communications were referred as indicated:**

- H-1 [10-0295](#) Communication from County Administrator Robert E. Gunzel
(City Clerk)
- H-2 [10-0296](#) Communication from Jason Brooks, Washtenaw County Deputy Clerk
(City Clerk)
- H-3 [10-0297](#) Communication from Deborah M. Miller regarding transcripts of
proceedings for the Allen Creek Draining District
(City Clerk)
- H-4 [10-0298](#) Communication from the Department of Natural Resources &
Environment
(City Clerk)
- H-5 [10-0300](#) Communication from the State of Michigan regarding the Michigan
Public Service Commission
(City Clerk)
- H-6 [10-0303](#) Communication from Janis A. Bobrin regarding Allen Creek Drainage
District Sylvan Avenue Project Public Hearing
(City Clerk)

I The following minutes were received for file:

- I-1 [09-1117](#) Planning Commission meeting Minutes of October 6 and 20, 2009
(Planning and Development Services)
- I-2 [09-1172](#) Planning Commission Meeting Minutes of November 17, 2009
(City Planning Commission)

- I-3 [09-1272](#) Planning commission Meeting Minutes of December 1, 2009
(City Planning Commission)
- I-4 [10-0127](#) Council Liquor License Review Committee - February 5, 2010
(City Clerk - Jacqueline Beaudry)
- I-5 [10-0227](#) Recreation Advisory Commission Minutes - January 5, 2010
(Community Services - Sumedh Bahl, Interim Area Administrator)
- I-6 [10-0231](#) Council Administration and Labor Committee Meeting Minutes of March
1, 2010
(Council Administration and Labor Committee)
- I-7 [10-0233](#) Ann Arbor Downtown Development Authority Meeting Minutes -
February 3, 2010
(Downtown Development Authority - Susan Pollay)
- I-8 [10-0240](#) Downtown Area Citizens Advisory Council Minutes - February 3, 2010
(Downtown Development Authority - Susan Pollay)
- I-9 [10-0287](#) Special Taxicab Board Meeting Minutes - November 25, 2009
(Financial and Administrative Services - Tom Crawford, CFO)
- I-10 [10-0293](#) Council Rules Committee Meeting Minutes of March 3 and 20, 2010

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PENDING LITIGATION, AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (E), AND (H).

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, APRIL 5, 2010 AT 7:00 P.M.

REPLAYS: TUESDAY, APRIL 6, 2010 AT 10:30 A.M. AND FRIDAY, APRIL 9, 2010 AT 7:30 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Persons with disabilities are encouraged to participate. Accommodations, including sign language interpreters, may be arranged by contacting the City Clerk's Office by telephone at 734-794-6140 or by written request addressed to the City Clerk's Office, 100 N. Fifth Ave., Ann Arbor, MI 48104, at least 24 hours in advance.

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