



City of Ann Arbor

100 N. Fifth Avenue
Ann Arbor, MI 48104
www.a2gov.org

Meeting Agenda City Council

Monday, July 20, 2009

7:00 PM

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

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

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. **Mozhagn Savabieasfahani - Demolishing Historic Homes and Palestine (DC-1)**
2. **Thomas Partridge - Equal access agenda. Affordable transportation and housing access ordinances and amendments needed. (C-1, DC-1, DB-1, DB-2, DS-17)**
3. **John Etter - E. Huron Rezoning (C-1)**
4. **Lazer Greenfield - Zoning - E. Huron (C-1)**
5. **Hugh Sonk - How zoning changes will affect quality of life in Ann Arbor.**
6. **Vivian Armentrout - Moratorium Resolution (DC-1)**
7. **Maureen Sloan - Moratorium Resolution (DC-1) and issues with Building Department**

8. Beverly Strassmann - Moratorium Resolution (DC-1)
9. Claudis Vincenz - Moratorium Resolution (DC-1)
10. Hatim Elhady - Moratorium Resolution (DC-1)

Alternates:

1. Blaine Coleman - Boycott Israel
2. Eli Slack - Fuller Road transit site

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

PH-1 [09-0704](#) Resolution to Approve AATA Plymouth Road Park and Ride Site Plan, 6.00 Acres, 3700 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Planning and Development Services - Jayne Miller, Community Services Administrator)
(See DB-1)

PH-2 [09-0721](#) Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)
(Community Services - Jayne Miller, Area Administrator)
(See DB-2)

PH-3 [09-0708](#) Resolution Confirming Application for, and Acceptance and Appropriation of the 2009 Edward Byrne Memorial Justice Assistance Grant From the United States Department of Justice, Bureau of Justice Assistance to Police Services
(Police Services - Barnett Jones)
(See DS-18)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

A-1 [09-0709](#) Regular Session Minutes of July 6, 2009
(City Clerk - Jacqueline Beaudry)

CA CONSENT AGENDA

- CA-1 [09-0562](#) Resolution to Approve Amendment No. 3 to the Professional Services Agreement with CDM Michigan Inc. (\$100,000.00) for Technical Engineering Services at the Water Treatment Plant
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-2 [09-0570](#) Resolution to Approve Amendment No. 1 to the Professional Services Agreement with OHM, Inc. (\$75,000.00) for Technical Engineering Services
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-3 [09-0584](#) Resolution Authorizing a Purchase Order to Washtenaw County for the City of Ann Arbor's Share of the Maintenance of the Shared 800 MHz Simulcast System (\$94,650.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- CA-4 [09-0672](#) Resolution to Approve a Purchase Order to Cogsdale Corporation for the Renewal of the Water Utility Customer Information System Annual Software Maintenance Agreement for FY2010 (not to exceed \$48,660.00)
(Information Technology Services - Dan Rainey)
- CA-5 [09-0661](#) Resolution Recognizing the Wild Swan Theater as a Civic Nonprofit Organization Operating in Ann Arbor for the Purpose of Obtaining a Charitable Gaming License
(City Clerk - Jacqueline Beaudry)
- CA-6 [09-0699](#) Resolution to Approve a Temporary Liquor License to Ozone House Youth and Family Services - End of Summer/Fall Harvest Dinner on Friday, September 11, 2009 at the Ann Arbor Farmer's Market
(City Clerk - Jacqueline Beaudry)

B ORDINANCES - SECOND READING

None.

C ORDINANCES - FIRST READING

C-1 [09-0227](#)

An Ordinance to Amend Sections 5:1, 5:2, 5:3, 5:4, 5:6, 5:50, 5:61, 5:64, 5:65, 5:67, 5:88 and 5:106; to Repeal Sections 5:10.19, 5:10.20, 5:44 and 5:44A and to Replace them with New Sections 5:10.19, 5:10.20 and 5:44; and to Repeal Section 5.10.22 And 5:45A of Chapter 55 (Zoning) of Title V of the Code of the City of Ann Arbor (To Revise Zoning Definitions, to Eliminate C2A, C2A/R and C2B/R Zoning Districts, to Create D1 [Downtown Core] and D2 [Downtown Interface] Zoning Districts and Permitted Uses and Standards, to Add Downtown Character Overlay Districts and Standards, and to Revise Floor Area Premiums) and to Amend Sections 5:167 and 5:169 of Chapter 59 (Off-Street Parking) of Title V of the Code of the City of Ann Arbor (To Revise Off-Street Parking Requirements for the Downtown Special Parking District), and to Amend the Zoning Map of Section 5:4 of Title V of the Code of Ann Arbor to Designate Certain Properties as D1, D2 and PL (Public Land) and to Further Designate Certain Properties as being Part of the Downtown Character Overlay Zoning Districts(CPC Recommendation: Approval - 8 Yeas and 1 Nay)

(Community Services - Jayne Miller, Area Administrator)

(Postponed from the 7/6/09 Regular Session)

C-2 [09-0666](#)

An Ordinance to Amend Chapter 55, Rezoning of 12.90 Acres from TWP (Township District) to PL (Public Land District), Narrow Gauge Property, South Side of Narrow Gauge Way (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning and Development Services - Jayne Miller, Community Services Administrator)

C-3 [09-0667](#)

An Ordinance to Amend Chapter 55, Rezoning of 11 Park Properties (Pittsview Park, Windemere Park, Waymarket Park, Turnberry Park, Stapp Nature Area, Redbud Nature Area, Maryfield Wildwood Park, Oakwoods Nature Area, Molin Nature Area, Foxfire West Park, Crary Park) from R1B, R1C, R1D (Single-Family Dwelling), R2B (Two-family Dwelling), R3 (Townhouse Dwelling Unit), R4A, R4B, and R4D (Multiple-Family Dwelling District) to PL (Public Land District) (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning and Development Services - Jayne Miller, Community Services Administrator)

C-4 [09-0665](#)

An Ordinance to Amend Chapter 55, Section 5:10.23 (C3 Fringe Commercial District) to Allow Temporary Outdoor Sales and the Display of Goods and Services as a Special Exception Use in the C3 Zoning District (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning and Development Services - Jayne Miller, Community Services Administrator)

- C-5 [09-0731](#) An Ordinance to Amend Section 5:166 of Chapter 59, Off-Street Parking, of Title V of the Code of the City of Ann Arbor

(City Council)

Sponsors: Greden

(Added 7/15/09)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [09-0715](#) Resolution to Impose a Temporary Moratorium on all New Development that Requires Site Plan Approval, Expansion of Existing Development that Requires Site Plan Approval, or Zoning Changes within the R4C and R2A Zoning Districts in Conjunction with the Study and Revision of the Zoning Ordinance Pertaining to these Districts

(City Council)

Sponsors: Anglin

DB New Business - Boards and Commissions:

- DB-1 [09-0704](#) Resolution to Approve AATA Plymouth Road Park and Ride Site Plan, 6.00 Acres, 3700 Plymouth Road (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Planning and Development Services - Jayne Miller, Community Services Administrator)

(See PH-1)

- DB-2 [09-0721](#) Resolution to Approve City Place Site Plan and Development Agreement, 1.23 acres, 407-437 South Fifth Avenue (CPC Recommendation: Motion to Recommend Approval Failed - 5 Yeas and 1 Nay)

(Community Services - Jayne Miller, Area Administrator)

(See PH-2)

DS New Business - Staff:

- DS-1 [09-0587](#) Resolution to Approve a Professional Legal Services Agreement with Model Cities Legal Services, Inc. to Provide Legal Representation as Court Appointed Counsel to Indigent Defendants (NTE \$210,000.00)

(Fifteenth District Court Services - Keith Zeisloft, Court Administrator)

- DS-2 [09-0646](#) Resolution to Approve a Purchase Order to The Ultimate Software Group Inc. for the Renewal of UltiPro Human Resource and Payroll System Maintenance Agreement and Subscription Fees for FY2010 (\$174,000.00)
(Information Technology Services - Dan Rainey)
- DS-3 [09-0674](#) Resolution to Approve a 23-Month Service Agreement with Washtenaw County for Provision of Information Technology Management Services (Not to Exceed \$132,000.00)
(Information Technology Services - Daniel Rainey)
- DS-4 [09-0530](#) Resolution to Approve Amendment No. 2 to the Professional Services Agreement with CDM Michigan, Inc. for the Footing Drain Disconnection Program (\$975,500.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-5 [09-0549](#) Resolution to Purchase Recycling Carts from Cascade Engineering (\$127,050.00 Annually)
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
- DS-6 [09-0555](#) Resolution to Award a Contract to Posen Construction, Inc. for the Lime Sludge Lagoon Improvements Project (\$275,808.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-7 [09-0566](#) Resolution to Authorize a Sole Source Purchase Order to Carrier & Gable, Inc. for the Purchase of Traffic Signal Materials (\$400,000.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-8 [09-0585](#) Resolution to Appropriate and Amend the FY2010 Field Operations Unit's General Fund Budget (\$57,170.00), to Appropriate and Amend the Fleet and Facility Unit's FY2010 budget (\$138,000.00) and to Approve the Purchase of Three Commercial 16 foot Four Wheel Drive High Capacity Zero Turn Mowing Units from Spartan Distributors (State of Michigan Contract #71B7200194) for \$235,170.00 (**8 Votes Required**)
(Public Services - Sue F. McCormick, Public Services Area Administrator)
- DS-9 [09-0591](#) Resolution to Approve a Change Order with E.T. MacKenzie Company for the Miller - Maple Transmission Water Main Project (\$128,826.07)
(Public Services - Sue F. McCormick, Public Services Administrator)

- DS-10 [09-0596](#) Resolution to Appropriate and Amend the FY2010 Field Operations Unit Sanitary Sewer Operating Budget and Approve the Purchase of One Mini Excavator with Trailer from Buck & Knobby Equipment Company, Inc. ITB # 4030 (\$134,870.00) **(8 Votes Required)**
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-11 [09-0609](#) Resolution to Remove Parking on the West Side of Dellwood Drive
(Project Management Services - Homayoon Pirooz)
- DS-12 [09-0639](#) Resolution to Approve Riverside Park Parking Lot Land Lease with the University of Michigan **(8 Votes Required)**
(Community Services - Jayne Miller, Community Services Administrator)
- DS-13 [09-0669](#) Resolution to Approve Malletts View Office Center Revised Elevations, 385 East Eisenhower Parkway
(Planning and Development Services - Jayne Miller, Community Services Administrator)
- DS-14 [09-0693](#) Resolution Accepting 10-foot wide Public Access Easement from JAG EISENHOWER, L.L.C. Mallett's View Office Center - 385 E. Eisenhower Parkway **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-15 [09-0701](#) Resolution Accepting Easement for Public Right-of-Way from the Public Schools of the City of Ann Arbor (West Stadium Boulevard (Suffolk to Hutchins) Improvements Project 601 W. Stadium Boulevard - Pioneer High School) **(8 Votes Required)**
(City Attorney Services - Stephen K. Postema)
- DS-16 [09-0700](#) Resolution Rescinding Resolution R-09-287 and Setting a Public Hearing on August 6, 2009 to Receive Public Comment on the Application of AVL Inc, Located at 1801 E. Ellsworth, for an Industrial Facilities Exemption Certificate in Industrial Development District No. 2009-030
(City Assessor - Tom Crawford, CFO)
(Added 7/15/09)
- DS-17 [09-0671](#) Amendment to Resolution R-09-064 Authorizing the Use of Build America Bonds in Place of General Obligation Capital Improvement Bonds to Fund Construction of a Parking Structure at South Fifth Avenue
(Financial and Administrative Services - Tom Crawford, CFO)
(Added 7/16/09)

- DS-18 [09-0708](#) Resolution Confirming Application for, and Acceptance and Appropriation of the 2009 Edward Byrne Memorial Justice Assistance Grant From the United States Department of Justice, Bureau of Justice Assistance to Police Services
(Police Services - Barnett Jones)
(Added 7/16/09; See PH-3)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [09-0694](#) Nominations & Appointments
(Mayor's Office)
- E-2 [09-0745](#) Appointments - Nominations
(Mayor's Office)

COMMUNICATIONS FROM COUNCIL

F COMMUNICATIONS FROM THE CITY ADMINISTRATOR

G COMMUNICATIONS FROM THE CITY ATTORNEY

- G-1 [09-0696](#) Annexation of the Narrow Gauge Property
(City Attorney Services - Stephen K. Postema)

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

H The following communications were referred as indicated:

- H-1 [09-0664](#) Communication from Comcast regarding channel changes effective July 30, 2009
(City Clerk - Jacqueline Beaudry)
- H-2 [09-0727](#) Communication from Janis A. Bobrin, Chair of the Drainage Board for the Allen Creek Drain, regarding a public hearing notice concerning public corporations to be assessed and apportionment of costs of the Allen Creek Drain Drainage District Pioneer High School Project scheduled for July 30, 2009- Public Services
(City Clerk - Jacqueline Beaudry)
- H-3 Communication from John L. Etter regarding opposition proposed amendments to Ann Arbor City Downtown Plan and Zoning Ordinance - Sloan Plaza Condominiums (See C-1 for copy of letter.)
(Added 7/18/09)

H-4 Email Communications from Faye Bradbury, Mrs. Daryl M. Hafter and Robert Schweitzer regarding opposition of the proposed City Place Project. (See DB-2 for emails.)

(Added 7/20/09)

H-5 City Place Communication from Mark & Judy Wenzel expressing opposition of the project.

I The following minutes were received for file:

I-1 [09-0548](#) Greenbelt Advisory Commission Minutes of May 1 and 13, 2009

(City Clerk - Jacqueline Beaudry)

I-2 [09-0688](#) Ann Arbor Downtown Development Authority Meeting Minutes - June 3, 2009

(Downtown Development Authority - Susan Pollay)

I-3 [09-0689](#) Downtown Area Citizens Advisory Council Minutes - June 3, 2009

(Downtown Development Authority - Susan Pollay)

I-4 [09-0698](#) Ann Arbor Housing Commission Annual Board Minutes - May 20, 2009

(Housing Services - Margorie Novak)

I-5 [09-0720](#) Council Liquor License Review Committee - June 5 and June 19, 2009

(City Clerk - Jacqueline Beaudry)

PUBLIC COMMENT - GENERAL (3 MINUTES EACH)

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

ADJOURNMENT

COMMUNITY TELEVISION NETWORK (CTN) CABLE CHANNEL 16:

LIVE: MONDAY, JULY 20, 2009; 7:30 P.M.

**REPLAYS: TUESDAY, JULY 21, 2009; 10:00 A.M. AND FRIDAY, JULY 24, 2009 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.