



City of Ann Arbor

301 E. Huron Street
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Meeting Agenda City Council

Thursday, November 10, 2011

7:00 PM

City Hall, 301 E. Huron Street, Council Chamber,
2nd Floor
City Council meets in caucus the Sunday prior
to each regular session at 7 p.m. in the Council
Chamber.

CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL OF COUNCIL

APPROVAL OF AGENDA

INT INTRODUCTIONS

INT-1 [11-1444](#) Volunteer of the Month Proclamation: Susan Tarle
(Mayor's Office)
(Added 11/8/11)

INT-2 [11-1445](#) Pancreatic Cancer Awareness Month Proclamation
(Mayor's Office)
(Added 11/09/11)

PUBLIC COMMENTARY - RESERVED TIME (3 MINUTES PER SPEAKER)

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

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

- 1. Thomas Partridge - End discrimination in housing and government funding. Give priority to access to affordable housing, transportation, education and health care, not excessive greenbelt funding. (DC-2, DS-11)**

2. Kermit Schlansker - Biomass
3. Matthew Grocoff - Pedestrian Ordinance (C-1)
4. Joel Batterman - Pedestrian Ordinance (C-1)
5. Thomas Collet - Pedestrian Ordinance (C-1)
6. Isaac Gilman - Pedestrian Ordinance (C-1)
7. Erica Briggs - Pedestrian Ordinance (C-1)
8. Kathy Griswold - Pedestrian Ordinance (C-1)
9. Larry Deck - Pedestrian Ordinance (C-1)
10. Henry Herskovitz - Challenging Israel's Legitimacy

Alternates:

1. Alan Haber - Library Lot
2. John Floyd - Demolition Derby

COMMUNICATIONS FROM COUNCIL

COMMUNICATIONS FROM THE CITY ADMINISTRATOR

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

- PH-1 [11-1227](#) An Ordinance to Amend Sections 7:151(5), 7:153(3), 7:153(5), 7:155(3), 7:167(5), 7:172(4) of Chapter 85, Taxicabs, Title VII of the Code of the City of Ann Arbor to Clarify Requirements for Taxicab Drivers and Vehicles (Ordinance No. ORD-11-18)

(Financial and Administrative Services - Tom Crawford, CFO)

Attachments: Taxicab Ord Amend Briefed.pdf, Taxicab Ord Amend.pdf

(See B-1)

- PH-2 [11-1264](#) An Ordinance to Amend Sections 1:552.1(19), Section 1:561(c), Section 1:562(2), Section 1:565, Section 1:567, Section 1:568, Section 1:572, and Section 1:592(b) of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement Changes Negotiated with the AFSCME and Ann Arbor Police Officers Association Bargaining Units (Ordinance No. ORD-11-19)

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: Chpt 18 FAC am AFSCME AAPOA Briefed.pdf, Chpt 18 FAC am AFSCME AAPOA.pdf

(See B-2)

- PH-3 [11-1267](#) An Ordinance to Amend Sections 1:700 and 1:704 of Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor to Include Negotiated Changes for New Hires in AFSCME and AAPOA (Ordinance No. ORD-11-20)

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: Chpt 21 Access Only AFSCME AAPOA Briefed.pdf, Chpt 21 Access Only AFSCME AAPOA.pdf

(See B-3)

- PH-4 [11-1308](#) Resolution to Approve The Varsity Ann Arbor Planned Project Site Plan and Development Agreement, 425 East Washington Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)

(Community Services - Sumedh Bahl, Area Administrator)

Attachments: 10-4-2011 Planning Staff Report (The Varsity), 9-20-2011 Planning Staff Report (The Varsity), 9-20-11 Staff Report Supplement (The Varsity), The Varsity Development Agmt 11-7-11 highlighted, 10-25-11The Varsity Development Agmt FINAL, 10-25-11 Attachments to DevAgre.pdf, 7-20-11 Petitioner's Citizen Participation Meeting Report (The Varsity), 6-22-11 Design Review Board Report (The Varsity)

(See DB-1)

COMMUNICATIONS FROM COUNCIL

A APPROVAL OF COUNCIL MINUTES

- A-1 [11-1414](#) Regular Session of October 24, 2011

(City Clerk - Jacqueline Beaudry)

Attachments: 10-24-11 Draft Minutes.pdf, Redaction list and Council emails 10-24-11 meeting.pdf

CA CONSENT AGENDA

- CA-1 [11-1246](#) Resolution to Approve the Purchase Order with Hach Company for Filter Backwash Turbidimeters (\$81,247.79)
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: Backwash Turb Quote - Hach 9-22-11.pdf
- CA-2 [11-1277](#) Resolution No. 2 - Prepare Assessment Roll for Dexter Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment
(Project Management Services - Sue F. McCormick, Public Services Administrator)
Attachments: Sidewalk and Curb & Gutter map.pdf, Special Assessment District #39 Table.pdf
- CA-3 [11-1320](#) Resolution No. 3 - Set hearing Date for Dexter Avenue Improvements - Sidewalk and Curb & Gutter Special Assessment
(Financial and Administrative Services - Tom Crawford)
Attachments: Dexter Avenue Improvements Estimated Costs, dexter ave NOTICE OF REVIEW O1
- CA-4 [11-1316](#) Resolution to Ratify City Administrator Approval of Emergency Purchase Order with Premier Truck Sale & Rental, Inc. (\$93,720.00)
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: Emergency Memo for Leaf Trucks.pdf
- CA-5 [11-1329](#) Resolution to Approve a Contract with Saladino Construction Company, Inc. to Restore the Island Park Bridge and Greek Revival Shelter Concrete (\$65,000.00)
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: ITB-4185 Bridge & Concrete Specs.pdf
- CA-6 [11-1331](#) Resolution to Approve a Contract with Legacy Custom Builders, Inc. to Repair the Island Park Greek Revival Shelter (\$84,169.00)
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: ITB - 4184 Shelter.pdf

B ORDINANCES - SECOND READING

- B-1 [11-1227](#) An Ordinance to Amend Sections 7:151(5), 7:153(3), 7:153(5), 7:155(3), 7:167(5), 7:172(4) of Chapter 85, Taxicabs, Title VII of the Code of the City of Ann Arbor to Clarify Requirements for Taxicab Drivers and Vehicles (Ordinance No. ORD-11-18)
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: Taxicab Ord Amend Briefed.pdf, Taxicab Ord Amend.pdf
(See PH-1)

- DS-1** [11-1392](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-11-18 Amendments to Chapter 85, Taxicabs, Title VII of the Code of the City of Ann Arbor to Clarify Requirements for Taxicab Drivers and Vehicles

(Financial and Administrative Services - Tom Crawford, CFO)
- B-2** [11-1264](#) An Ordinance to Amend Sections 1:552.1(19), Section 1:561(c), Section 1:562(2), Section 1:565, Section 1:567, Section 1:568, Section 1:572, and Section 1:592(b) of Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor to Implement Changes Negotiated with the AFSCME and Ann Arbor Police Officers Association Bargaining Units (Ordinance No. ORD-11-19)

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: Chpt 18 FAC am AFSCME AAPOA Briefed.pdf, Chpt 18 FAC am AFSCME AAPOA.pdf

(See PH-2)
- DS-2** [11-1354](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-11-19 Amendments to Chapter 18, Employees Retirement System, Title I of the Code of the City of Ann Arbor

(City Attorney Services - Stephen K. Postema, City Attorney)
- B-3** [11-1267](#) An Ordinance to Amend Sections 1:700 and 1:704 of Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor to Include Negotiated Changes for New Hires in AFSCME and AAPOA (Ordinance No. ORD-11-20)

(City Attorney Services - Stephen K. Postema, City Attorney)

Attachments: Chpt 21 Access Only AFSCME AAPOA Briefed.pdf, Chpt 21 Access Only AFSCME AAPOA.pdf

(See PH-3)
- DS-3** [11-1355](#) Resolution Authorizing Summary Publication of Ordinance No. ORD-11-20 Amendments to Chapter 21, Retiree Health Care Benefits Plan and Trust, Title I, of the Code of the City of Ann Arbor for New Hires in AFSCME and AAPOA

(City Attorney Services - Stephen K. Postema, City Attorney)

C ORDINANCES - FIRST READING

- C-1 [11-1446](#) An Ordinance to Amend Section 10:148 of Chapter 126, Traffic, Title X, of the Code of the City of Ann Arbor
(City Council)
Sponsors: Taylor, Briere and Teall
Attachments: Pedestrian Crossing St Amendment REVISED _ Briere.pdf, Pedestrian Crossing St Amendment _ Briere.pdf
(Added 11/8/11 and Revised 11/10/11)

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1 [11-1391](#) Resolution to Appoint Shannon Brines as a Member of the City of Ann Arbor Greenbelt Advisory Commission
(City Council)
Sponsors: Hohnke
Attachments: GAC_application_Brines
- DC-2 [11-0619](#) Resolution to Restate the Terms of the Membership of the Greenbelt Advisory Commission
(Greenbelt Advisory Commission)
Sponsors: Hohnke
- DC-3 [11-1456](#) Resolution to Re-Appoint Members to the City Environmental Commission
(City Council)
Sponsors: Hohnke and Teall
(Added 11/10/11)
- DC-4 11-1450 Resolution for Community Events Fund Disbursements from the FY 2012 Budget
(City Administrator - Steve Powers)
Sponsors: Teall and Smith
(Added 11/10/11)

DB New Business - Boards and Commissions:

- DB-1** [11-1308](#) Resolution to Approve The Varsity Ann Arbor Planned Project Site Plan and Development Agreement, 425 East Washington Street (CPC Recommendation: Approval - 7 Yeas and 0 Nays)
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: 10-4-2011 Planning Staff Report (The Varsity), 9-20-2011 Planning Staff Report (The Varsity), 9-20-11 Staff Report Supplement (The Varsity), The Varsity Development Agmt 11-7-11 highlighted, 10-25-11The Varsity Development Agmt FINAL, 10-25-11 Attachments to DevAgre.pdf, 7-20-11 Petitioner's Citizen Participation Meeting Report (The Varsity), 6-22-11 Design Review Board Report (The Varsity)
(See PH-4) (Revised 11/10/11)
- DB-2** [11-1375](#) Resolution to Approve Participating with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Joe Bloch Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$49,500.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: J A Bloch and Company Protected Map Updated.pdf
- DB-3** [11-1376](#) Resolution to Approve Participating with Legacy Land Conservancy for the Preservation of the Charles Botero Property in Northfield Township and Appropriate Funds Not to Exceed \$15,000.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**
(Community Services - Sumedh Bahl, Area Administrator)
Attachments: Botero Protected Updated Map.pdf
- DS** **New Business - Staff:**
- DS-4** [11-1266](#) Resolution to Approve the Purchase of Polymer from Polydyne Inc. for the Wastewater Treatment Plant, Bid No. ITB-4178 (\$260,000.00)
(Waste Water Treatment Plant - Sue F. McCormick, Public Services Administrator)
- DS-5** [11-1283](#) Resolution to Remove Parking on the West Side of Fair Oaks Parkway
(Public Services - Sue F. McCormick, Public Services Administrator)
Attachments: Attachment A, Fair Oaks Attachment B.pdf
- DS-6** [11-1284](#) Resolution to Approve Contract Amendment #1 with RecycleRewards
(Systems Planning Services - Sue F. McCormick, Public Services Administrator)
Attachments: Recycle Rewards AMEND 1 .pdf

- DS-7 [11-1292](#) Resolution to Approve the Purchase of a Sewer Pipeline Inspection System with Lateral Evaluation Television System from Jack Doheny Supplies, Inc. (ITB- 4173) \$242,835.00
(Public Services - Sue F. McCormick, Public Services Administrator)
- DS-8 [11-1307](#) Resolution to Approve Amendment No. 3 the Professional Services Agreement with Orchard, Hiltz & McCliment, Inc. (\$119,000.00) for the West Park Storm System Modifications Project
(Project Management Services - Sue F. McCormick, Public Services Administrator)
Attachments: OHM Am 3.PDF, Exhibit A-3.pdf, Exhibit B-3.pdf
- DS-9 [11-1438](#) Resolution to Approve Purchase Agreement for the Purchase of the City-owned First and Washington Property by Ann Arbor City Apartments, LLC (Successor-in-Interest to Village Green Residential Properties, LLC) and Approropriate the Sale Proceeds (**8 Votes Required**)
(City Attorney Services - Stephen K. Postema, City Attorney)
(Added 11/7/11)
- DS-10 [11-1441](#) Resolution to Approve the Ann Arbor City Apartments Master Deed and Bylaws (**8 Votes Required**)
(City Attorney - Stephen Postema, City Attorney)
Attachments: DS-10 Att1.pdf, DS-10 Att2.pdf, DS-10 Att3.pdf
(Added 11/7/11 and Revised 11/10/11)
- DS-11 [11-1440](#) Resolution to Approve the City of Ann Arbor Affordable Housing Covenant for Ann Arbor City Apartments
(City Attorney - Stephen K. Postema, City Attorney)
Attachments: AACA Affordable Housing Covenant.pdf
(Added 11/7/11)

E COMMUNICATIONS FROM THE MAYOR

- E-1 [11-1461](#) 11/10/11 Appointments & Nominations
(Mayor's Office)

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

- G-1 [11-1362](#) Annexation of Ellis Property, 1.13 acres located at 3313 Dexter Road
(City Attorney Services - Stephen K. Postema)
Attachments: Annexation-Ellis Property.pdf

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

H The following communications were referred as indicated:

- H-1 [11-1367](#) Communication from the Department of Environmental Quality DEQ regarding minor revisions for work authorized by Michigan Department of Environmental Quality (MDEQ) Permit Number 09-81-006-P - Planning and Development Services
(City Clerk Services)
Attachments: DEQ Communication RE Permit No 09 81 006 P
- H-2 [11-1368](#) Communication from City of Farmington Hills, regarding a Resolution in Support of Remediating Statutory Court Funding Inequities among Communities - Filed
(City Clerk Services)
Attachments: Farmington Hills Resolution
- H-3 [11-1372](#) City of Ann Arbor Employees' Retirement System Actuarial Valuation Report - June 30, 2011
(City Clerk Services)
Attachments: 2011 Actuarial Valuation - Ret System
- H-4 [11-1397](#) Communication from the State of Michigan, Public Services Commission regarding notice of hearing for Customers of The Detroit Edison Company on Case No. U-16756, scheduled for November 3, 2011, 6545 Mercantile Way, Suite 7, Lansing Michigan - File
(City Clerk Services)
Attachments: DTE Customers Communication U-16756
- H-5 [11-1449](#) Communication from Chris Brooks regarding safety of crosswalks in Ann Arbor
(City Clerk Services)
Attachments: pedestrian crosswalk communication
(Added 11/9/10)

I The following minutes were received for file:

- I-1 [11-0982](#) Historic District Commission Meeting Minutes of the May 12, 2011
(Planning and Development Services)
Attachments: 5-12-2011 HDC Approved Minutes
- I-2 [11-1208](#) 5-25-2011 ZBA Approved Meeting Minutes
(Planning and Development Services)
Attachments: 5-25-2011 ZBA Approved Minutes
- I-3 [11-1209](#) 6-22-2011 ZBA Approved Meeting Minutes
(Planning and Development Services)
Attachments: 6-22-2011 ZBA Approved Minutes
- I-4 [11-1252](#) City Planning Commission Meeting Minutes of September 8, 2011
(Planning and Development Services)
Attachments: 9-8-2011 Approved CPC Minutes
- I-5 [11-1275](#) Historic District Commission Meeting Minutes of August 11, 2011
(Planning and Development Services)
Attachments: 8-11-2011 HDC Approved Minutes
- I-6 [11-1287](#) Ann Arbor Downtown Development Authority Meeting Minutes -
September 7, 2011
(DDA - Susan Pollay, Executive Director)
Attachments: DDA Minutes 9-7-11.pdf
- I-7 [11-1315](#) Council Liquor License Review Committee - September 9, 2011
(City Clerk - Jacqueline Beaudry)
Attachments: 2011-09-09 liquor committee minutes.pdf
- I-8 [11-1318](#) Greenbelt Advisory Commission Meeting Minutes of May 11, August 10,
and September 14, 2011
Attachments: 05-11-11 GAC Minutes, 08-10-11 GAC Minutes, 09-14-11 GAC Minutes -
Approved
- I-9 [11-1330](#) Ann Arbor Commission on Disability Issues Minutes - June 15, 2011
(Human Resources - Robyn Wilkerson)
Attachments: Disability Issues Minutes 6-15-11.pdf

- I-10 [11-1334](#) September 20, 2011 City Planning Commission Meeting Minutes
(Planning and Development Services)
Attachments: 9-20-2011 Approved CPC Minutes
- I-11 [11-1343](#) Ann Arbor-Ypsilanti Smart Zone LDFA Board Meeting Minutes - June
14, 2011
(Financial and Administrative Services - Tom Crawford, CFO)
Attachments: LDFA Board Minutes 06-14-11.pdf
- I-12 [11-1358](#) Downtown Area Citizens Advisory Council - Minutes October 4, 2011
(DDA - Susan Pollay, Executive Director)
Attachments: Downtown Area Citizens Advisory Council Meeting Minutes 100411.pdf
- I-13 [11-1360](#) City Election Commission - July 12 and August 29, 2011
(City Clerk - Jacqueline Beaudry)
Attachments: 2011-07-12 Election Commission minutes.pdf, 2011-08-29 Election
Commission APPROVED minutes.pdf
- I-14 [11-1371](#) Washtenaw Area Transportation Study Board (W.A.T.S.) Meeting
Minutes Of August 17, 2011
Attachments: W.A.T.S. August Policy Minutes
- I-15 [11-1377](#) Employees' Retirement System Regular Meeting - Minutes September
15, 2011
(Retirement System Services - Lora Kluczynski)
Attachments: Employees Retirement System Minutes Sept 15 .pdf
- I-16 [11-1379](#) Ann Arbor Retiree Health Care Benefit Plan & Trust Board of Trustees
Regular Board Meeting - Minutes of September 15, 2011
(Retirement System Services - Lora Kluczynski)
Attachments: VEBA Bd Minutes September 15 2011.pdf
- I-17 [11-1395](#) Human Rights Commission Meeting Minutes of July 13, 2011
(Human Resources - Robyn Wilkerson, Director)
Attachments: HRC Meeting Minutes 071311.pdf
- I-18 [11-1396](#) Council Administration and Labor Committee Meeting Minutes of
October 10, 2011
Attachments: Council Admin. and labor Committee Minutes 10-10-11

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: THURSDAY, NOVEMBER 10, 2011, 7:00 P.M.
REPLAYS: FRIDAY, NOVEMBER 11, 2011 7:30 P.M.**

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.

- **Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx**
- **Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.**

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.